

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Continued

The PRESIDING OFFICER. The Senator from Utah is recognized for his remaining 9 minutes 30 seconds.

Mr. BENNETT. Mr. President, I thank the Chair and the assistant majority leader for his courtesy. I want to conclude by commenting once again on the importance of the United States keeping its international commitment, a commitment made to Canada and Mexico to allow a free trade area to occur on the North American continent. It is in our own interest. It is the intelligent thing to do, and historically it will see to it that the economies of all three of these countries will benefit.

Here is the first test we have of whether or not the actual regulations of NAFTA will be allowed to work in a way that benefits our neighbors to the south, even though it discomfits a powerful political group in the United States. If we fail that test, we will send a message to the Mexicans that says we didn't really mean it; we don't think you really should have equal status with the Americans. I can think of no more corrosive a message to send to the Mexicans than that one. That is why I think we must be as firm as we are trying to be in this debate of making it clear that we are going to hang on to this issue until it is resolved satisfactorily.

Mr. GRAMM. Will the Senator yield for a question?

Mr. BENNETT. I am happy to yield for a question.

Mr. GRAMM. Mr. President, it is not often we get an opportunity to have someone speak in the Senate who has built a successful business, who has been engaged in international commerce, who has negotiated contracts for millions of dollars. I would like to take this opportunity, since he has a few minutes left, to pose some questions to the Senator about the debate before us.

As the Senator is aware, we entered into a free trade agreement with Canada and Mexico in 1994. A Republican President signed the agreement in San Antonio, TX—George Bush. The agreement was ratified with the vigorous support of a Democrat President, Bill Clinton. We are in the process of implementing it under another Republican President. So this is an agreement that was supported on a bipartisan basis by three Presidents.

In that agreement, in the section having to do with the question before us, we have chapter 12, which is on cross-border trade and services. The language of the trade agreement is very simple. I would like to read it to you, and I would like to ask you some questions.

First of all, the language says very simply what America's obligation is

under what it calls "national treatment." It is very simple. Our obligation to Canada, our obligation to Mexico, and their obligation to us is the following:

Each party shall accord to service providers of another party treatment no less favorable than that it accords in like circumstances to its own service providers.

First of all, with regard to trucking companies, if you had to convert that legal statement of obligation into English, what do you think it would say?

Mr. BENNETT. I say to the Senator from Texas, I think it would say that Mexican trucks coming into the United States, Canadian trucks coming into the United States, or American trucks going into Mexico would all have to comply with the requirements of the States in which they were operating, but that in the process of thus complying, they would not have to change their procedures to a situation different from the procedures that were considered acceptable on both sides.

This is something that would require the Americans to say we will honor the Mexican Government's procedures just as we expect the Mexican Government to honor the American Government's procedures.

Mr. GRAMM. We would treat them the same. Whatever requirement we would have, they would have.

Mr. BENNETT. I say to the Senator, that would be my understanding of the part of the treaty which he has read.

Mr. GRAMM. Let me raise some issues in the time we have and see if the Senator believes that these issues violate the provision.

The Murray amendment says that under the Motor Carrier Safety Improvement Act of 1999, which we adopted and which has to do with motor safety in America, in general, Canadian trucks can operate in America. Let me explain the problem.

We have not yet implemented this law. Under President Clinton and now under President Bush, the difficulty in writing the regulations this bill calls for are so substantial that the provisions of this law have not yet been implemented.

Even though they have not yet been implemented, a thousand Canadian trucks are operating in the United States under the same regulations American trucks are operating. Many thousands of American trucks are operating. But under the Murray amendment, until the regulations for this law are written and implemented, no Mexican trucks can operate in the United States on an interstate commerce basis.

Would the Senator view that to be equal treatment?

Mr. BENNETT. I would not, and I say to the Senator from Texas that I am familiar with the American legislation to which he refers because I have had,

as I suppose the Senator from Texas has had, considerable complaints from my constituents about the regulations proposed under that bill and have contacted the administration, both the previous one and the present one, to say: Don't implement all aspects of this bill until you look at the specifics of these regulations; some of the things you are asking for in this bill would, in my opinion, and in the opinion of the constituents who have contacted me, make the American highways less safe than they are now.

To say we must wait until that is done before we allow Mexican trucks in, in my view, would not only be a violation of NAFTA, it would be a violation of common sense because we are not implementing that for our own trucks on the grounds that it would not be good, safe procedure for our own trucks.

Mr. GRAMM. Clearly, we are letting our trucks operate even though that law is not implemented; we are letting Canadian trucks operate even though it is not implemented, but in singling out Mexican trucks, it seems to me that violates the NAFTA agreement. Does the Senator agree with that?

Mr. BENNETT. Without the benefit of a legal education, it seems to me that violates the clear language of the NAFTA treaty.

Mr. GRAMM. In the time we have, let me pose a couple more questions.

Currently, most American trucks are insured by companies domiciled in America, though some are insured by Lloyd's of London, which is domiciled in Great Britain. Most Canadian trucks, it is my understanding, are insured by Lloyd's of London, which is domiciled in Great Britain. Some of them are insured by Canadian insurance companies domiciled in Canada. The Murray amendment says that all Mexican trucks must have insurance from companies domiciled in America, a requirement that does not exist for American trucks, a requirement that does not exist for Canadian trucks.

Does it not seem to the Senator from Utah that is a clear violation of the requirement that each party shall accord the service providers of another party treatment no less favorable than that it accords, in like circumstances, to its own service providers?

Mr. BENNETT. It certainly would appear to me to be a violation. It would seem an interesting anomaly if a Mexican trucking firm had insurance with Lloyd's of London and then was denied the right to operate on American highways on the grounds—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRAMM. I thank the Senator.

The PRESIDING OFFICER. Under the previous order, the majority leader is recognized.

AMENDMENT NO. 1163 TO AMENDMENT NO. 1130

Mr. DASCHLE. Mr. President, I call up amendment No. 1163.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE] proposes an amendment numbered 1163 to amendment No. 1030.

The amendment is as follows:

(Purpose: To provide for an effective date)

At the appropriate place, insert the following: "Provided, That this provision shall be effective three days after the date of enactment of this Act."

Mr. DASCHLE. Mr. President, I move to table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that, if present and voting, the Senator from California (Mrs. FEINSTEIN) would vote "aye."

Mr. CRAIG. I announce that the Senator from Missouri (Mr. BOND), the Senator from Montana (Mr. BURNS), the Senator from Wyoming (Mr. ENZI), the Senator from Tennessee (Mr. FRIST), the Senator from Oklahoma (Mr. INHOFE), the Senator from Oklahoma (Mr. NICKLES), the Senator from Kansas (Mr. ROBERTS), the Senator from Alabama (Mr. SESSIONS), the Senator from Alaska (Mr. STEVENS), and the Senator from Wyoming (Mr. THOMAS) are necessarily absent.

I further announce that, if present and voting, the Senator from Montana (Mr. BURNS) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 0, as follows:

[Rollcall Vote No. 258 Leg.]

YEAS—88

Akaka	DeWine	Leahy
Allard	Dodd	Levin
Allen	Domenici	Lieberman
Baucus	Dorgan	Lincoln
Bayh	Durbin	Lott
Bennett	Edwards	Lugar
Biden	Ensign	McCain
Bingaman	Feingold	McConnell
Boxer	Fitzgerald	Mikulski
Breaux	Graham	Murkowski
Brownback	Gramm	Murray
Bunning	Grassley	Nelson (FL)
Byrd	Gregg	Nelson (NE)
Campbell	Hagel	Reed
Cantwell	Harkin	Reid
Carnahan	Hatch	Rockefeller
Carper	Helms	Santorum
Chafee	Hollings	Sarbanes
Cleland	Hutchinson	Schumer
Clinton	Hutchison	Shelby
Cochran	Inouye	Smith (NH)
Collins	Jeffords	Smith (OR)
Conrad	Johnson	Snowe
Corzine	Kennedy	Specter
Craig	Kerry	Stabenow
Crapo	Kohl	Thompson
Daschle	Kyl	
Dayton	Landrieu	

Thurmond	Voinovich	Wellstone
Torricelli	Warner	Wyden

NOT VOTING—12

Bond	Frist	Roberts
Burns	Inhofe	Sessions
Enzi	Miller	Stevens
Feinstein	Nickles	Thomas

The motion was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that Senator GRAMM be recognized for 30 minutes, and at the conclusion of that time, Senator DASCHLE or his designee be recognized.

The PRESIDING OFFICER (Mr. CARPER). Without objection, it is so ordered.

Senator GRAMM of Texas.

Mr. GRAMM. Mr. President, I thank the distinguished majority leader for allowing me to be recognized.

Let me also say that we have a fair number of Members on this side who want to speak before we have our final cloture vote tonight. Whatever we can do to provide time for people to speak would be appreciated. Obviously, I understand the majority have their rights in terms of those.

Let me try to explain to my colleagues what this debate is about, at least as I see it. Obviously, the greatness of our individual personalities and of being human is, as Jefferson once observed, that good people with the same facts are prone to disagree.

I would like to try to outline how I see the issue before us, why it is so important to me, why I believe it is important to Senator McCain, and why I want to do this so people will understand what this debate is about.

First of all, there is no debate about safety. Senator McCain and I have an amendment that requires every Mexican truck to be inspected—every single one. Under our current procedures, 28 percent of all American trucks are inspected at least once during the year. Forty-eight percent of all Canadian trucks are inspected at least once during the year. Currently, 73 percent of all Mexican trucks coming into the border States—which is the only place they are allowed to operate—are inspected.

Senator McCain and I believe in establishing our safety standards and assuring that Mexican trucks meet every safety standard that every American truck and every Canadian truck must meet. We think the logical way of doing that, to begin with, until we establish a pattern of behavior and until clear records are established is to inspect every single truck that comes across the border.

Under NAFTA, we cannot impose requirements on Mexican trucks that we don't impose on our own trucks and that we don't impose on Canadian trucks. But we have every right under NAFTA—I believe every obligation to our citizens—to assure that Mexican trucks are safe and to be sure they meet every safety standard that we set on our own trucks.

Let me also say that if we raise safety standards on our own trucks—in some areas I believe that is justified—we then would have every right to impose the same standards on Mexican trucks.

In 1994, the President of the United States, the President of Mexico, and the Prime Minister of Canada met in San Antonio to sign the North American Free Trade Agreement. It was the most historic trade agreement in the history of North America.

Under President Clinton, and through his leadership and exertion of efforts, the Congress ratified the North American Free Trade Agreement by adopting enabling legislation which the President signed. We are now in the final stages of implementing NAFTA.

One President signed NAFTA—a Republican President. A Democrat President fought for its ratification, and now a Republican is seeking to comply with the final procedures of NAFTA that have to do with cross-border traded services.

Our obligation under the treaty is very simple. It says each party shall report the service providers of another party treatment no less favorable than that it accords in like circumstances to its own providers.

In fact, the little heading "National Treatment" really defines what we agreed to that day in San Antonio and what we ratified here on the floor of the Senate. We agreed that we have every right to have every safety standard we want. We can impose any safety standard on any Mexican truck and on any Canadian truck so long as we impose it on every American truck.

No one disagrees that we can't have a different safety protocol for Mexico as they establish their pattern of behavior. As I said, Senator McCain and I have proposed that we initially inspect every Mexican truck. But let me explain what is not allowed under the treaty which the Murray amendment does.

Under the Murray amendment, there is a provision that says we adopted a bill in 1999, and that bill had to do with highway safety. In fact, it was called the Motor Carrier Safety Improvement Act. It in essence said Congress was not happy with motor safety in America and we wanted changes. We wrote that law in 1999.

President Clinton found writing the regulations for the laws so onerous that those regulations have not yet been written. President Bush is trying now to comply with this law.

We have every right to ask that American law be complied with. But the point is this: We haven't written the regulations. The regulations are not being enforced, but yet there are thousands of Canadian trucks operating in America. There are thousands of American trucks operating in America. The Murray amendment says that until we implement this law by writing the regulations and enforcing them—something that probably cannot be done for 18 months or 2 years—no Mexican trucks will be allowed into America.

Under NAFTA, we can say until this law is implemented, no truck shall operate in the United States of America—American, Canadian, or Mexican. That would be NAFTA legal, because we would be treating Mexican trucks just as we treat American trucks and just as we treat Canadian trucks. We would all go hungry tonight. But we could do that.

What we cannot do under NAFTA is we can't say that American trucks can operate even though we have not implemented this law, and Canadian trucks can operate even though we have not implemented this law, but Mexican trucks can't operate because we haven't implemented this law. That is a clear violation of NAFTA; no ifs, ands, but about it. It is no less arbitrary since the law has nothing to do with Mexico or Mexican trucks. It is no less arbitrary than saying that no Mexican trucks shall come into the United States until a phase of the Moon and a phase of the Sun reach a certain level on a certain day that might not occur for a million years. That is how arbitrary this is.

Unfortunately, it doesn't end there. Senator MURRAY, while opposing amendments that say things that violate NAFTA don't have to be enforced from her amendment, continues to say: My amendment doesn't violate NAFTA.

Let me give you some other examples.

Most Canadian trucks have British insurance. Most Canadian trucks have insurance from Lloyd's of London. Some of them have Dutch insurance. Some American trucks have British insurance, Dutch insurance, German insurance, and American insurance. As long as that company is licensed in America, and as long as it meets certain standards, those trucks can operate in the United States. In fact, we have Canadian trucks operating today when virtually none of them has American insurance. But the Murray amendment says, if you are operating Mexican trucks, those Mexican trucks must buy insurance from a company that is domiciled in the United States of America.

We have every right and obligation to require Mexican trucks to have good insurance. NAFTA allows us to do that.

Logic dictates we do it. But we do not have the right to dictate where the company that sells the insurance is domiciled unless we are willing to do that to our own truckers, which we do not do. Currently, most trucking companies lease trucks.

The untold story of this whole debate is when Mexican truckers start operating in interstate commerce, they are not going to be driving Mexican trucks. By and large, they are going to be driving American trucks because trucking companies do not own many trucks. They lease their trucks. The Mexican companies are going to lease the trucks from the same companies that American companies lease their trucks.

Currently, when a company has leased trucks or purchased trucks, if something happens and they can't put those trucks on the road—and that something can be that they lose business or they are under some kind of suspension or restriction or limitation—they lease those trucks out to other companies. You can't be in the trucking business by having \$250,000 rigs sitting in your parking lot.

Canadian trucking companies lease trucks when they cannot use them. American trucking companies lease trucks when they cannot use them. And at any time any big trucking company in America or Canada has at least one violation—at any time—often many because there are so many different things you can be in violation on.

The Murray amendment says if you are under any kind of limitation, and you are a Mexican trucking company, you cannot lease your trucks. What that does is not only violate NAFTA—clearly a violation because we do not have the same requirement for American trucking companies; we do not have the same requirement for Canadian trucking companies—and if you cannot use your trucks, if you are under any kind of restriction or limitation, then, obviously, you cannot be in the trucking business.

So what the Murray amendment does is it not only violates NAFTA, it writes a procedure that no one could stay profitably in the trucking business if they had to meet that requirement.

In the United States, there are a whole range of penalties you can get. You can get a penalty if your blinker light does not work. It may look as if it works inside, but it does not work outside. Your right mud flap is off. You are hauling too much cargo. Gravel is blowing out of the top. There are hundreds—maybe thousands; I don't know, but I will say hundreds—of potential violations you can have.

In America, those violations can mean a warning or a fine of \$100; some of them that are serious may be more. It may be a warning to the company; it

may be a consent decree with the company.

But under the Murray amendment, all that regime stays in place if the company is an American company, and it all stays in place if they are a Canadian company, but if they are a Mexican company, and they are found to be in violation, they get the death penalty; they get banned from operating in the United States of America.

Look, we could write a law that said, if you are in violation on anything, you are out of the trucking business in America. That would be crazy. The cost of trucking services would skyrocket, but we could do it, and it would be legal under NAFTA to do it to Mexican trucks. But you cannot have one set of rules for American trucks and another set of rules for Mexican trucks or Canadian trucks.

The amazing thing is that when so many people are talking about this debate, they write as if Senator MCCAIN and I want lesser safety standards. Senator MCCAIN and I want exactly the same safety standards for Mexican trucks that we have for American trucks, only we are willing to inspect every single truck until they come into compliance.

What we are opposed to is not tougher safety standards; what we are opposed to is protectionism, cloaked in the cloak of safety, where restrictions are written that, for all practical purposes, guarantee that Mexican trucks cannot operate in the United States—clearly in violation of NAFTA.

There are a few newspapers that are getting this debate right. The Chicago Tribune says today, in its lead editorial:

Truth is that Teamster truckers don't want competition from their Mexican counterparts, who now have to transfer their loads near the border to American-driven trucks, instead of driving straight through to the final destination. But to admit that would sound too crass and self-serving, so Sen. Patty Murray, and others pushing the Teamster line, instead are prattling on about road safety.

That is the Chicago Tribune. The Chicago Tribune believes this is not about safety, that this is about protectionism, cloaked in the garb of safety.

Finally, let me explain to my colleagues why Senator MCCAIN and I have us here on this beautiful Friday afternoon at 4 o'clock. Let me say to my colleagues that I am not calling these votes. In fact, I would be very happy to have no vote until we have the cloture vote tonight. The majority leader is calling these votes to try to get people to stay here, which is fine. It is his right.

But why we are doing this is because our Founding Fathers, when they wrote the Constitution, and they established the rules of the Senate, as it evolved, recognized that there would be those issues where the public would be easy to confuse. There would be those

issues where special interest groups were paying attention, and they would be out the door of the Senate Chamber where they have every right to be. They would be lobbying. And there would be issues where you could cloak from the public what the real issue was.

Our Founders, in recognizing there would be those issues—and I personally believe this is one of them—gave to the individual Senator, whose views were not in the majority that day on that issue, the right to require that there be full debate, the right to require that those who wanted to end the debate get 60 votes. Senator McCain and I are using those rights today because we believe it is wrong and rotten for America, the greatest country in the history of the world, to be going back on a solemn commitment that it made in NAFTA.

We think it hurts the credibility of our great country, when we are calling on people all over the world to live up to the commitments they made to us, for us to be going back on commitments we made to our two neighbors. We also think it is fundamentally wrong to treat our neighbors differently.

To listen to the debate on the other side, you get the idea we are trying to have different standards for Mexico. We want the same standards for Mexico, but we do not want provisions that, in essence, prevent Mexico from having its rights under NAFTA. That is what this issue is about.

I urge my colleagues—I know we are getting late in the day and I know people are pretty well dug in; and I know a lot of commitments have been made—but we need to ask ourselves some simple questions: No. 1, do we want to go on record in the Senate in passing a rider to an appropriations bill that clearly violates a solemn treaty commitment that we made in negotiating NAFTA? And it was not some President who made it. A Republican President signed it. A Democrat President fought to ratify it. We ratified it. And now a Republican President is trying to implement it. Do we really want to go on record today—on a Friday night—for going back on our word to NAFTA?

No. 2, we have a President in Mexico who is the best friend that America has ever had in a President in Mexico. He virtually created a political revolution in Mexico when he defeated a party that had ruled Mexico for almost all of the 20th century. He is pro-trade and pro-American. But he does not have a majority in either the House or the Senate in Mexico. He had to put together a coalition government where his Foreign Minister opposed GATT, opposed NAFTA, and the best his Foreign Minister will say with NAFTA is: Well, we agree to it.

What kind of position are we putting President Fox in when we pass a bill

that violates our agreement in NAFTA and treats Canadians one way and Mexicans another? What kind of signal does that send? And does anybody here—since we are all involved in politics, and we understand that when you have a vulnerability, your political enemies exploit it—does anybody doubt that all the “hate America” crowds in Mexico—and there are a lot of them—does anybody doubt that they are going to use this as an issue against President Fox, that we violated our agreement, that we are their neighbor but we are not their equal neighbor, that we don’t treat them that bad but we don’t treat them as good as we treat the Canadians, that the U.S. Congress said what is good enough for Americans and good enough for Canadians is not good enough for Mexicans?

It is not a question of safety. We have every right to force them to do everything we do. We have a right to have a more strict regime until they prove they are doing it.

What we do not have a right to do is to have a bunch of things that claim to be safety that really say: You can’t operate Mexican trucks in the United States. That is what this issue is about.

Obviously, it is frustrating when the word does not get out and people don’t necessarily understand what the debate is. Tonight we are using powers that the Founding Fathers thought Senators ought to have. It is up to each individual Senator’s conscious as to when they use those powers. We have used those powers on this bill.

It is wrong what we are trying to do. It will hurt America. It will hurt Texas. It will hurt the 20 million people I work directly for and the 280 million people I try to represent. At least that is my opinion. Since that is my opinion and I believe it and believe it strongly, I intend to use every power we have.

We will have a cloture vote tonight. I hope it will be defeated. I am prayerfully hopeful that perhaps a few of our Members will have some enlightenment or an enlightening experience between now and the appointed hour. But we have three more cloture votes after this one, and we intend to use our full rights as Senators to see that if we are going to abrogate NAFTA, if we are going to slap President Fox in the face, if we are going to run over President Bush, we are not going to do it without resistance, without strong, committed resistance. That is what this debate is about.

How much time do I have?

The PRESIDING OFFICER. The Senator from Texas has 6½ minutes remaining.

Mr. GRAMM. Mr. President, I will reserve the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I have been listening to the debate today and yesterday. I think we have gone beyond the realm of reasonableness.

This is a debate about safety on American highways. We are voting on technical amendments that mean nothing. We are not moving the debate forward. A lot of people are being inconvenienced by votes that don’t mean anything. We could all be here voting on substantive amendments until midnight. That is what we are here to do. But to just have technical amendments in order to wait it out and see how many people will leave is wrong.

I am very interested in safety on American highways. I think we can do it within the terms of NAFTA. We are smart enough to figure that out.

The question is not whether we have safety on American highways or we violate NAFTA. It is when we make the agreement. Make no mistake about it, that is the debate.

I ask all of my colleagues to sit down and let’s come to a reasonable agreement on when we are going to address the merits of this issue. No one who has an IQ of 25 believes that changing the effective date on this bill every 30 minutes or tabling a motion to change the effective date is moving the ball on the substance one bit further.

Mr. President, I think it is time for us to act as a Senate; that all of the parties who have quite reasonable substantive arguments to make, who are very close to an agreement, sit down and determine when that agreement will be made so that we can come to a reasonable and responsible conclusion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TORRICELLI). Without objection, it is so ordered.

COORDINATED BORDER AND CORRIDOR PROGRAM

Ms. STABENOW. Mr. President, I rise to engage in a colloquy with the distinguished senior Senator from Michigan and the distinguished chair of the Transportation Appropriations Subcommittee. As the chair knows, over the past few years, the State of Michigan has competed for funds under the Coordinated Border and Corridor Program of the Transportation Equity Act (TEA 21).

I ask the distinguished chair to give consideration to a particularly important project on our U.S.-Canadian border in Michigan. The Ambassador Bridge Gateway Project which will provide direct interstate access to the Ambassador Bridge and improve overall traffic flow to and from our U.S.-Canadian border, needs \$10 million this year to keep the project on schedule. To date, there has been a total of \$30.2 million in Federal funds either spent or committed with a State match of \$7 million. Any consideration that the distinguished Chairwoman can provide is much appreciated.

Mr. LEVIN. I join my colleague from Michigan in asking the chair to give this important project consideration in conference, especially since no Michigan project is funded under this account. The Ambassador Bridge in Detroit, MI is a critical project for the State's trade infrastructure. It is one of the three busiest border crossings in North America, and more trade moves over this bridge than the country exports to Japan. It is crucial that we keep traffic moving safely and efficiently at this crossing. The Ambassador Bridge Gateway project will provide direct interstate access to the bridge, and improve overall traffic flow to and from the Ambassador Bridge. This project also has a wide range of support from the State, local government, metropolitan planning and the business community.

Mrs. MURRAY. I will be happy to work with my colleagues in conference on this matter and to look at the specific corridor project they are recommending.

Mr. VOINOVICH. Mr. President, for the past few days now, we have been here on the floor of the Senate debating a very basic question: do we trust our trading partners?

As I see it, this debate is not about truck safety, but, rather, it is about whether or not the United States is willing to honor its trade agreements and adhere to the principals of NAFTA.

Over the past several years, as my colleagues are aware, the United States has enjoyed one of its longest periods of economic prosperity in our history. Vital to this remarkable economic boom has been international trade. Trade is the economic lifeblood of the United States. Some twelve million American jobs depend directly on exports, and countless millions more, indirectly.

In fact, the growth in American exports over the last ten years has been responsible for about one-third of our total economic growth. That means jobs for Americans and of particular concern to this Senator, jobs for Ohioans.

The United States is the world's single largest exporter of goods and services, accounting for 12 percent of the world's total goods exports and 16 per-

cent of the world's total service exports. Goods and services exports from the State of Ohio constitute a significant share of exports coming from the United States, making the Buckeye State the 8th largest exporter in the nation.

Ohio is a textbook example of why international trade is good for America. When I was Governor, I had four goals in the area of economic development—agribusiness, science and technology, tourism and international trade. We pursued each of these aggressively in order to maximize Ohio's business potential, especially in the trade arena.

Thanks to trade-stimulating agreements, such as the North American Free Trade Agreement (NAFTA), overall Ohio exports have skyrocketed 103 percent in just the last decade.

When the North America Free Trade Agreement took effect on January 1, 1994, it brought together three nations and 380 million people to form the world's largest free trade zone, with a collective output of \$8 trillion. We in the State of Ohio were so excited about the potential of NAFTA, that in order to take advantage of this trade agreement, Ohio opened a trade office in Mexico shortly after NAFTA's passage.

Thanks to NAFTA, historic trade barriers that once kept American goods and services out of the Canadian and Mexican markets either have been eliminated or are being phased out. The positive economic effects have been astounding:

From 1993 to 1998, U.S. exports to Canada grew 54 percent and U.S. exports to Mexico grew 90 percent.

Also from 1993 to 1998, Ohio outperformed the nation in the growth of exports to America's two NAFTA trading partners. Ohio's exports to Canada grew 64 percent and Ohio exports to Mexico grew 101 percent.

But, in my view, if the Senate enacts the Murray amendment, we will be jeopardizing one of the most successful trading partnerships that this nation has ever had.

It is hard to believe that this legislation, which singles-out just one nation and holds up one crucial aspect of their trade policy to scrutiny, would not violate NAFTA.

I cannot fathom how supporters of this legislation ignore this fact.

I am every bit as concerned as any other member of this chamber about the safety of tractor trailer trucks. As anyone who has driven through my state of Ohio knows, it is a hub of long-haul trucking.

You can be certain that I do not want my constituents endangered by unsafe tractor trailer trucks regardless of their city, state or country of origin.

But we must be cognizant of the fact that, if this amendment is enacted, we will be unfairly discriminating against our second largest trading partner—Mexico.

Mexican trucks are already required to comply with our laws governing truck safety if they want to operate on our highways. The state and federal laws are already in place.

Is there room for improvements to safety? Of course. But, I also believe if these laws were adequately enforced, we would not be having this discussion today.

Do I think we should enforce these laws vigorously? Of course. But, I am not calling for this nation to enact restrictive laws that single out Mexico.

However, what the Senate is in the process of doing is raising the bar for our Mexican trading partners by requiring an extraordinary safety requirement that does not apply to our other NAFTA trading partner, Canada, and establishes a whole new regimen that Mexican trucks will have to follow that most American trucks do not.

Make no mistake: Our other trading partners throughout the world are watching what the Senate is doing, and our action—should the Murray amendment be enacted—could shake their faith in our willingness and ability to engage in truly "fair" trading practices.

The stakes are high—higher than I think anyone in this Chamber realizes.

The United States has proudly claimed itself a bastion of open markets for more than 200 years. Indeed, we have set the example of consistently striving to comply with our trade treaty obligations. But, how can we ask and expect other countries to abide by international trade rules if the United States flagrantly disregards them itself? If we want a rules-based system of international trade to work, so that we can have a level playing field across the board on all goods, America must lead by example and not pass xenophobic restrictions on our neighbors.

How can USTR Ambassador Robert Zoellick successfully negotiate vital trade agreements to open up new markets for American industry that will benefit American workers when the Senate signals that America is unwilling to play by the rules? What faith can our partners have? What can we demand of them?

If the Murray amendment is enacted, can you imagine the damage that we would bring upon ourselves when we try and negotiate the Free Trade of the Americas treaty? Who would trust us?

I can just imagine President Cordoza of Brazil—who is not too keen on the Free Trade of the Americas treaty to begin with—telling all of the Central and South American leaders that they shouldn't get into a treaty with the U.S.

He just might say that the U.S. Senate, that "reasoned, deliberative body" cannot be trusted, and is fanned by the flames of political opportunism.

Think also what the amendment will do to the budding relationship between

President Bush and President Vicente Fox? They have worked well together and I would hate to think that this amendment could set back our relationship with the Mexican leader and his nation.

President Bush is fully aware of what this amendment would mean, and I would like to quote from the Statement of Administration Policy on this bill:

The Administration remains strongly opposed to any amendment that would require Mexican motor carrier applicants to undergo safety audits prior to being granted authority to operate beyond commercial zones on the U.S.-Mexico border, as this would violate the NAFTA agreement and the President's strong commitment to open the U.S.-Mexico border to free and fair trade.

This amendment defies logic and reason.

If this amendment is enacted, what the Senate would be doing is re-opening one of the most significant trade treaties in history by legislative fiat.

Mr. President, but we should not be modifying our international agreements via a rider to an appropriations bill. This is no way to run our foreign policy, nor our trade policy.

Senator MCCAIN said the other day that the Commerce Committee, on which he is ranking and which has jurisdiction over surface transportation, has not considered any legislation on this important matter. This is precisely the kind of complex and delicate matter that deserves full and balanced consideration before we charge ahead and make a decision we most assuredly will regret later.

And what about my good friend from Texas, Senator GRAMM. His state has more border crossings from Mexico than any other state represented in this chamber. He would have every right in the world to oppose trucks from Mexico coming into his state.

But the Senator from Texas fully understands the importance of adhering to our trade agreements and he has spoken eloquently on this topic.

Mr. President, it is of obvious concern to make sure that all trucks that operate on American highways do so in compliance with all applicable safety standards.

However, this amendment goes too far in trying to ensure those standards, and it is an inappropriate response for the U.S. Senate to take.

I urge this body not to jeopardize the benefits of international trade in the haphazard way that this amendment would undertake.

Thank you, Mr. President.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the pending amendments be agreed to and the motions to reconsider be laid upon the table en bloc; further, that it be in order for the managers to offer a managers' amendment, postcloture, which has been agreed upon by the two managers and the two leaders, notwithstanding the provisions of rule XXII.

I further ask unanimous consent that the time until 6:25 p.m. today be equally divided and controlled and that at 6:25 p.m. the Senate proceed to a vote on the motion to invoke cloture on H.R. 2299.

The PRESIDING OFFICER (Mr. HARKIN). Is there objection?

Without objection, it is so ordered.

The amendments (Nos. 1025 and 1030) were agreed to.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, parliamentary inquiry: How much time exists on both sides from now until the time for the vote?

The PRESIDING OFFICER. Ten and one-half minutes on each side.

Mr. MCCAIN. Mr. President, under the agreement of the managers, I request the last 3 minutes be reserved for my comments or just before the final comments of the managers, whatever the managers desire.

The PRESIDING OFFICER. Does the Senator ask unanimous consent?

Mr. MCCAIN. Yes, I ask unanimous consent.

The PRESIDING OFFICER. The understanding of the request is the last 3 minutes.

Mr. MCCAIN. Either the last 3 minutes before 6:25 or the last 3 minutes before the comments of the managers, either one.

The PRESIDING OFFICER. Be reserved for?

Mr. MCCAIN. My purpose.

The PRESIDING OFFICER. The last 3 minutes.

Is there objection?

Without objection, it is so ordered.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield 5 minutes to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

Mr. TORRICELLI. Mr. President, as most Members of the Senate, I have listened to this debate patiently for many hours. I have heard many things said that Senators need to consider before this debate comes to a close. Mostly I have heard that the United States somehow will be violating our treaty obligations with Mexico if we insist upon the safety of our citizens on our highways from Mexican trucks. I have heard that this Senate would be turning its back on the NAFTA treaty. I have heard it not a few times but 5 times or 10 times.

For the consideration of my colleagues, I will answer it but once, because this Government does not violate a treaty obligation and the Senate does not violate the law or its obligations. Indeed, it has been said before, but in a recent arbitration panel decision looking at the NAFTA treaty and our obligations to our citizens and truck safety, it has been said:

The United States may not be required to treat applications from Mexican trucking firms in exactly the same manner as applications from United States or Canadian firms . . . U.S. authorities are responsible for the safe operations of trucks within United States territory, whether ownership is United States, Canadian, or Mexican.

It is not our intention nor will this law violate our treaty obligations. It simply says this: 50 years of efforts to protect Americans on our highways are not abandoned. The facts are clear. Senator MURRAY simply wants to know that Mexican trucks entering America will be inspected and they will be safe.

Our intentions are well founded. Mexican trucks on average are 15 years old; American trucks are 4. Mexican trucks weigh 135,000 pounds; American trucks, 85,000 pounds. Mexican drivers are 18 years old; American, 21. American trucks are documented for hazardous or toxic cargo. Until recently, Mexican trucks were not.

Indeed, the evidence supports what Senator MURRAY is attempting to do. Forty percent of all Mexican trucks now entering the United States are failing inspections. This is not a small problem. One hundred thousand Americans a year are being injured, or their children are injured, or their neighbors are injured in serious trucking accidents in America. We share our neighborhood roads and our interstate highways with 18-wheel trucks weighing tens of thousands of pounds.

For what purpose has this Senate and our State legislatures for all these years required special engineering of trucks if we will not require it of Mexican trucks? Why do we have weight limitations? Why do we implement laws about special training and driving if we are to abandon that effort now? Of the 27 border crossings between Mexico and the United States, 2 have inspectors 24 hours a day.

What would the Senator from Texas and the Senator from Arizona do in these hours when Mexican trucks without training, without weight requirements, and without inspections arrive at America's borders if there is no one there to weigh them or inspect them or assure that our families are safe? That is a difference of what we do today. Senator MURRAY requires it. The Senator from Texas would not.

The United States has a right to insist under NAFTA that our citizens are safe. No, I say to Senator GRAMM, we don't have a right; we have an obligation recognized by an arbitration panel looking at Mexican law and American law and the NAFTA treaty.

I have never seen it more clear that the Senate has operated within its obligations and its rights to our citizens than in recognition of this amendment.

I do not know how long we will have to be here, but I can tell you this: If it requires tonight, tomorrow night, next week, next month, this Senator will not be responsible for American families losing their lives. I will stand for

our treaty obligations, but first I will stand for our families.

I commend the Senator from Washington for her tenacity and her vision.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. GRAMM. Mr. President, I yield myself 5 minutes.

Mr. President, let me read from the Chicago Tribune. The headline is "Honk if you smell cheap politics."

As political debates go, the one in the Senate against allowing Mexican trucks access to the U.S. is about as dishonest as it gets.

Truth is that Teamster truckers don't want competition from their Mexican counterparts, who now have to transfer their loads near the border to American-driven trucks, instead of driving straight through to the final destination.

We can scream and holler; we can be emotional all we choose to be, but this debate has nothing to do with safety and everything to do with raw, rotten protectionism. It has to do with violating NAFTA and destroying the good word of the United States of America.

The truth is that Senator McCain and I have offered an amendment that would require every Mexican truck to be inspected, that would require every Mexican truck to meet the same safety standards that the United States of America requires of its own trucks, and that those trucks would not be allowed to come into the United States until they had met those standards.

But the Murray amendment is not about safety; it is about protectionism. The Murray amendment says because of a 1999 law that we passed, that had nothing to do with Mexico—and was not fully implemented by the Clinton administration, and has not been implemented by the Bush administration—that Canadian trucks can operate in the United States, that American trucks can operate in the United States, but Mexican trucks cannot.

So we have not implemented a domestic law and, therefore, we are letting Canadian trucks in, we are letting our own trucks operate, but we do not let Mexican trucks in. That violates NAFTA. American truck companies can lease each other trucks. Nobody objects to that. Senator MURRAY does not object to it. Canadian companies can lease each other trucks. But under the Murray amendment, Mexican companies cannot.

Under the Murray amendment, there is only one penalty for Mexican companies, and that is a ban on operating in the United States of America, even though we have numerous different penalties for U.S. trucks than Mexican trucks.

Under the Murray amendment, we basically have entirely different standards for Mexico than we have for the United States of America and that we have for Canada.

Under the Murray amendment, basically we say: In NAFTA we said we

were equal partners, but we didn't mean it. We are equal partners with Canada, but our Mexican partners are inferior partners that will not be treated equally.

The problem is, NAFTA commits us to equal treatment. This is not about safety; this is about protectionism. We are not here tonight because Senator McCain and I wanted to be here. We are here tonight because the majority party would not negotiate with us to come up with a bill that did not violate NAFTA.

We have offered two amendments. The first amendment said that any provision of the Murray amendment that violated NAFTA—a treaty, in the words of the Constitution, the supreme law of the land—that violated a commitment made by three Presidents and by the Congress would not be put into place. That was rejected.

The Senator from Arizona offered an amendment that said under the Murray amendment Mexican nationals and Canadian nationals would be treated the same. That was rejected by our colleagues who are in the majority party in the Senate.

So they say the Murray amendment does not violate NAFTA, but when we offered an amendment to not enforce the parts of it that do violate NAFTA, they rejected it. They say the Murray amendment does not discriminate against Mexico and Mexicans, but when we offered an amendment forbidding that they be discriminated against relative to Canadians, they rejected it.

The truth is, this is about special interest as compared to the public interest. I ask my colleagues—I understand politics; I have been in it a long time—is it worth it to destroy the good word of the United States of America on an issue such as this on an appropriations bill?

I urge my colleagues to vote against cloture.

Mr. President, I assume my time has expired. I yield the floor.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield our remaining time to Senator DORGAN.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 4 minutes 53 seconds.

Mr. DORGAN. Mr. President, seldom in political debate—especially in the Senate—do you find a bright line between that which you think is thoughtful and that which you think is thoughtless. I think I have seen some lines recently.

Let me describe my reaction to someone who suggests those of us who stand up and worry about highway safety in our country are engaged in something that is raw, rotten, and protectionist.

What we are doing is not raw, not rotten, and has nothing to do with pro-

tectionism. If you use the word "protection" in the manner I describe our duties in the Senate, let me plead guilty for wanting to protect the interests of Americans on American highways. Let me plead guilty for wanting to protect those interests. I, of course, would never apologize to anyone for standing in the Senate saying this is a critically important issue on behalf of those in our country who travel our country's highways.

The question is, Shall we allow Mexican long-haul trucks in beyond the 20-mile limit? Senator MURRAY from Washington has said, the only condition under which they can come in beyond that 20-mile limit is when they meet the standards that we impose in this country. We have compliance reviews and inspections. We do it in a way that protects the American interests.

What are the differences between our standards and the standards in Mexico? We have had 6 years, and both countries have understood we have come to this intersection, but nothing has been done. I wish my friend from Texas would have had the opportunity I had to sit 3 hours in a hearing on this subject and listen to the inspector general tell us what he found on the U.S.-Mexican border. We know, of course, the standards are different.

In Mexico, there is no hours of service requirement. They can drive 24 hours a day. One newspaper reporter drove with one guy for 1,800 miles. In 3 days, the guy slept 7 hours. This is a truckdriver making \$7 a day, sleeping 7 hours in 3 days, driving a truck that would not pass inspection in this country. And we have some in this Senate who say: Let's let that truck into this country, or at least let's let that truck present itself to an inspection station.

The inspector general, by the way, says there will not be inspectors sufficient at those stations to inspect those vehicles as they come into the United States. So to those who say our goal is to inspect all these vehicles, I say simply look at the numbers. The fuzzy math that the inspector general described for us between the budget requests and what actually is going to happen to these inspection stations, tell us that those trucks are going to come into this country—and they have already been doing it illegally in 26 States, incidentally, including the State of North Dakota. We have had Mexican long-haul truckers violating that 20-mile limit.

My question is this: If you have radically different standards, and we do—no hours of service requirement in Mexico; we do here for 10 hours. No logbooks in Mexico. Yes, they have a law, and they don't carry them in their trucks; we have the requirement here. No alcohol and drug testing in Mexico; we have it here. Drivers' physical considerations, there is a requirement here, really none in Mexico.

The fact is, it is clear we have radically different standards. What we are saying is, we ought not allow long-haul Mexican trucks into this country until we can guarantee to the American people that the trucks or the drivers are not going to pose a safety hazard to American families driving on our roads.

This is all very simple. It is not raw. It is not rotten. It has nothing to do with protectionism. That is just total nonsense. This has to do with the question of when and how we will allow Mexican long-haul trucks into this country.

What we are saying is, we will allow that to happen when, and if, we have standards—both compliance and reviews and inspections—sufficient to tell us that the Mexican trucking industry is meeting the standards we have imposed for over 50 to 75 years in this country in our trucking industry and for our drivers.

We have had a lot of talk about a lot of things that have nothing to do with the core of this issue. We are told that NAFTA requires us to do this. No trade agreement—no trade agreement at any time, under any circumstances—ever in this country has required us to sacrifice safety on our highways. No trade agreement requires us to sacrifice safety with respect to food inspection. No trade agreement requires us to do that.

I have heard for 3 days now that the NAFTA trade agreement somehow requires us to allow long-haul Mexican trucking beyond the 20-mile limit. That is simply not the case.

In fact, the strangest argument by my friend from Texas was that if we did not do this, the Mexicans say they are going to retaliate on corn syrup. The Mexicans are already in violation of NAFTA in corn syrup. A GATT panel already decided that. I think what we ought to do is protect the Murray language. She has done the right thing, and I hope, in the end, we will understand this is about safety for Americans on American roads.

The PRESIDING OFFICER. The managers' time has expired.

The Senator from Arizona is recognized for 4 minutes 2 seconds.

Mr. McCain. I thank the Chair.

Mr. President, first of all, in regard to the allegation of my friend from North Dakota, and the description of the regulations and rules in the country of Mexico, the fact is, in our substitute amendment it calls for the inspection of every single truck that comes into the United States from Mexico.

There is a long list of all the requirements of licensing: Insurance, commercial value, safety compliance decals, et cetera, et cetera—a long and detailed set of requirements for Mexican trucks to enter the United States of America. The difference is, it does not have the same cumulative effect that the Mur-

ray amendment does, which violates the North American Free Trade Agreement.

I have always enjoyed these billboards that are brought up on the floor that say: Does not violate NAFTA. Does not violate NAFTA. Unfortunately, for those who allege that, the Governments of the two countries that are involved have judged that it does violate NAFTA.

Perhaps if the election last November had turned out differently, a Gore administration might have viewed it not in violation of NAFTA. But here is what the President of the United States says: "Unless changes are made to the Senate bill, the President's senior advisers will recommend that the President veto the bill."

So everybody is entitled to their opinions. But if you are the President of the United States, you are the only one that is entitled to veto.

The Minister of Economics in Mexico:

We are very concerned after regarding the Murray amendment and the Administration's position regarding it that the legislative outcome may still constitute a violation of the Agreement.

The elected Governments of the two countries say, indeed, this Murray language is in violation of NAFTA. They are the ones who are elected by their people to make the determination, not individual Members of this body.

Finally, as we wind up, I apologize for any inconvenience, any discomfort, any problems this extended debate has caused any of my colleagues. I know many of them had plans and were discomfited. I extend my apologies.

I hasten to add, I have been involved in a number of major issues over the years I have been here. There has always been a willingness to negotiate and work out problems. That was not the case on this issue. I pledge, no matter what the outcome of this vote, I am still eager to sit down and work out what I view are differences that can be resolved and should be resolved between the Murray language and what we are trying to do because I don't think we are that far apart.

Let's have men and women of good faith and goodwill sit down together after this vote so that we can resolve the differences. No one wants a Presidential veto of this bill; I agree. There is a lot of pork I don't agree with, but there are also a lot of much-needed projects. We don't want a Presidential veto. We have demonstrated that we have 34 votes and can easily sustain a Presidential veto.

After this vote, I again promise my colleague from Washington and my colleague from Nevada, who have been here constantly, we want to negotiate and work out our differences. I am convinced we can.

I yield the remainder of my time.

CLOTURE MOTION

The PRESIDING OFFICER. The time has expired. Under the previous order,

the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on H.R. 2299, the Transportation Appropriations Act.

Patty Murray, Ron Wyden, Pat Leahy, Harry Reid, Hillary Rodham Clinton, Charles E. Schumer, Jack Reed, Robert C. Byrd, James M. Jeffords, Daniel K. Akaka, Bob Graham, Paul Sarbanes, Carl Levin, Jay Rockefeller, Thomas R. Carper, Barbara A. Mikulski, and Thomas A. Daschle.

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

The question is, Is it the sense of Senate that debate on H.R. 2299, an act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that, if present and voting, the Senator from California (Mrs. FEINSTEIN) would vote "aye."

Mr. CRAIG. I announce that the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from Montana (Mr. BURNS), the Senator from Tennessee (Mr. FRIST), the Senator from North Carolina (Mr. HELMS), the Senator from Oklahoma (Mr. INHOFE), the Senator from Oklahoma (Mr. NICKLES), the Senator from Kansas (Mr. ROBERTS), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Alabama (Mr. SESSIONS), the Senator from Oregon (Mr. SMITH), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Alaska (Mr. STEVENS), and the Senator from Wyoming (Mr. THOMAS) are necessarily absent.

I further announce that if present and voting the Senator from Montana (Mr. BURNS) would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 27, as follows:

[Rollcall Vote No. 259 Leg.]

YEAS—57

Akaka	Carnahan	Dodd
Baucus	Carper	Dorgan
Bayh	Chafee	Durbin
Biden	Cleland	Edwards
Bingaman	Clinton	Ensign
Boxer	Cochran	Feingold
Breaux	Collins	Graham
Byrd	Conrad	Harkin
Campbell	Corzine	Hollings
Cantwell	Dayton	Hutchison

Inouye	Lieberman	Sarbanes
Jeffords	Lincoln	Schumer
Johnson	Mikulski	Shelby
Kennedy	Murray	Snowe
Kerry	Nelson (FL)	Stabenow
Kohl	Nelson (NE)	Torricelli
Landrieu	Reed	Warner
Leahy	Reid	Wellstone
Levin	Rockefeller	Wyden

NAYS—27

Allard	Enzi	Lott
Allen	Fitzgerald	Lugar
Bennett	Gramm	McCain
Bunning	Grassley	McConnell
Craig	Gregg	Murkowski
Crapo	Hagel	Smith (NH)
Daschle	Hatch	Thompson
DeWine	Hutchinson	Thurmond
Domenici	Kyl	Voinovich

NOT VOTING—16

Bond	Inhofe	Smith (OR)
Brownback	Miller	Specter
Burns	Nickles	Stevens
Feinstein	Roberts	Thomas
Frist	Santorum	
Helms	Sessions	

The PRESIDING OFFICER (Ms. STABENOW). On this vote, the yeas are 57, the nays are 27. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. DASCHLE. Madam President, I enter a motion to reconsider the vote by which the motion was rejected.

The PRESIDING OFFICER. The motion is entered.

EMERGENCY AGRICULTURAL ASSISTANCE ACT OF 2001—MOTION TO PROCEED

CLOTURE MOTION

Mr. DASCHLE. Madam President, I understand we are unable to get agreement to go to the Agriculture Supplemental Authorization. Therefore, I move to proceed to S. 1246, the Agriculture supplemental authorization, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on motion to proceed to Cal. No. 102, S. 1246, a bill to respond to the continuing economic crisis adversely affecting American farmers:

Tom Harkin, Harry Reid, Jon S. Corzine, Max Baucus, Patty Murray, Hillary Rodham Clinton, Jeff Bingaman, Tim Johnson, Ted Kennedy, Jay Rockefeller, Daniel K. Akaka, Paul Wellstone, Mark Dayton, Maria Cantwell, Benjamin Nelson, Blanche Lincoln, Richard Durbin, and Herb Kohl.

Mr. DASCHLE. I ask unanimous consent this cloture vote occur at 5:30 p.m. on Monday, July 30, and I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Madam President, for the information of all Senators, this

will be the last vote tonight, and we will have the next vote at 5:30 p.m. on Monday.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Madam President, I want to further elaborate on the comments I made just a moment ago. We made the motion to proceed to the Agriculture supplemental authorization bill because we could not get agreement to bring it up on Monday. As most of my colleagues know, this is a very important piece of legislation for just about every State in the country. It has passed in the House. It is important to pass it before we leave, only because, as most of our colleagues probably already know, if we are not able to utilize and commit these resources prior to the August recess, the Congressional Budget Office has indicated to us that they will not allow us the use of these resources prior to the end of the fiscal year. We will lose \$5.5 billion for Agriculture if this legislation does not pass prior to the time we leave in August.

I emphasize I am not making any threats. I am not trying to cajole. I am just trying to state the fact that we need to get this legislation done. This is not a partisan bill. The administration supports dealing with Agriculture. On an overwhelming basis, it passed in the House. We need to pass it in the Senate. I am very disappointed we are not getting the cooperation to proceed to this bill because it is such an important issue. It is for that reason, and only for that reason, that I have delayed the cloture vote on the Transportation bill.

There will be a cloture vote on the Transportation appropriations bill at some point, perhaps early in the week. But, nonetheless, it will happen. If we need to, we will run out the time to get to final passage and then vote on the bill. But I needed to get started on the Agriculture supplemental. And that is what the procedural motion that we just entered into entails.

I appreciate my colleagues' attention.

Mr. DORGAN. Madam President, I wonder if the majority leader will yield for a question.

Mr. DASCHLE. I am happy to yield to the Senator from North Dakota.

Mr. DORGAN. I am trying to understand what has happened. My understanding is that the majority leader is forced to file a cloture motion not to get the bill up but on the motion to proceed to the bill dealing with an

emergency appropriation for family farmers. My understanding is in the budget we reserved an amount of money that we all understood was necessary to try to help family farmers during a pretty tough time. Prices have collapsed. Family farmers are struggling. We all understood we were going to have to do an emergency appropriation to help them.

My understanding at the moment is that you are prevented not only from going to the bill but you are having to file a cloture motion on a motion to proceed to go to the bill to try to provide emergency help for family farmers.

Is that the circumstance we are in and, if so, who is forcing us to do this?

I watched this week while for a couple of days nothing happened on the floor. The appropriations subcommittee chair was here wanting amendments to come, and no amendments came. It looked like the ultimate slow motion on the floor of the Senate. Now we are told—those of us who come from farm country—that not only can we not get to the bill but we have to file cloture on the motion to proceed for emergency help for family farmers.

What on Earth is that about, and who is forcing us to do this?

Mr. CRAIG. Madam President, will the leader yield?

Mr. DASCHLE. I am happy to yield to the Senator from Idaho.

Mr. CRAIG. I am forcing it as someone who has stood on this floor for the last 4 years and fought for nearly \$8 billion a year for family farmers such as you have. We have stood arm in arm in that. But the bill that is coming to the floor is \$2 billion over the budget that you have talked about and that slot in the budget that we prepared.

I must tell you that this Senator is going to vote for emergency funding for farmers in agriculture, but we are not going to go above a very generous budget to do so.

I thought it was most important. Yes, the House has moved. I believe the chairman of the authorizing committee is here, and he can speak for himself.

But it is my understanding that this bill will come to the floor about \$2 billion ahead of where the House was. The House complied with the budget resolution. We are rapping on that door of spending that surplus in Medicare.

I don't care how you use the argument. The reality is very simple. The majority leader is moving us—and he is right—to a very important debate. But it was important for some of us who support farmers but also support fiscal integrity and the budget to stand up and say, Mr. Leader, we are out of budget, we are out of line, and we are \$2 billion beyond where we ought to be. That is why I objected.

Mr. DASCHLE. Madam President, if I could regain the floor, let me say that

I appreciate and respect the position of the Senator from Idaho. I am not sure that having this debate on the motion to proceed is the appropriate place to do it. It seems to me that it would be an appropriate subject for an amendment to reduce the amount of emergency assistance from \$7.49 billion to \$5.5 billion. To say, we don't need to spend \$7.49 billion. We could have that amendment and have a debate about it. But having a motion to proceed and then having a debate and a filibuster, if that is required on the motion to proceed, just delays when we can actually get into the discussion and debate about whether or not it ought to be \$7.49, or \$7.1 billion, or \$5.2 billion. But we will finish this legislation only because of the ramifications of not finishing it, whether it is Monday, or Friday, or at some other time.

I put my colleagues on notice. I have no other recourse. This is not a threat. It is simply a fact that this is a piece of must-pass legislation. I hope people understand that.

I would be happy to yield to the Senator from North Dakota.

Mr. DORGAN. Madam President, if the majority leader will yield for one additional question, of course, the Senator from Idaho would have every right to come to the floor and protest that the amount of help for family farmers is too much, too generous, and this, that, or the other thing. The Senator has every right to do that. But I think that is different than trying to delay our ability to consider legislation that responds to an emergency need for family farmers.

My question to the majority leader was not about how much money was involved. My question was who is delaying this and why. I urge my friend from Idaho not to delay us. He has every right to come to the floor of the Senate and try to cut it or try to reduce it if he thinks it is too much, but allow us to immediately go to this on Monday because it is an emergency appropriations bill.

We all understood earlier this year that we needed an emergency supplemental. We provided the money for it. Now the Senator from Idaho has a dispute about how much money is going to come to the floor. Allow that bill to come to the floor and then offer an amendment. But don't force the majority leader to file a cloture motion on the motion to proceed. Speaking as somebody who represents farm country—I know the Senator from Idaho does as well—delaying on the motion to proceed is the worst way, in my judgment, to serve our family farm interests. All of us have the same interests.

I say to majority leader, I hope if there are disagreements about the amount of aid that we will have a debate about it. But I certainly hope that Members will allow us to get to this

bill. It is an emergency appropriations supplemental bill designed to address an emergency. It ill-serves those who we intend to help to have to file a cloture motion on a motion to proceed to the actual bill.

Let's not do that. Let's get it to the floor and have at it on Monday, get it passed, and help family farmers.

I appreciate the majority leader yielding to me.

Mr. DASCHLE. I would be happy to yield to the distinguished chairman.

Mr. HARKIN. I thank the leader for yielding.

I say to my friend from Idaho that we enjoyed his being on the Agriculture Committee for a number of years. I am sorry that he is not now on the Agriculture Committee. Perhaps if my friend from Idaho were on the Agriculture Committee and had been involved in our debate and deliberations and the markup of the bill, he might not be holding this bill up because it was reported out on a unanimous voice vote. We only had one amendment to take it down to \$5.5 billion. That fell on a 12-9 vote.

Two things: There are farmers who are hurting all over this country—not just in Iowa, or North Dakota, or Kansas but even in Idaho. Quite frankly, this Senator went out of his way to accommodate the wishes of Senators in this Chamber representing family farmers in their States to put into that bill what was necessary to meet some of those needs.

In fact, I say to my friend from Idaho, there are provisions in the bill that will help his farmers in Idaho that are not in the bill they passed in the House.

Second, I say to my friend from Idaho that the budget that was passed here allows in the 2001 fiscal year for the Agriculture Committee to spend up to \$5.5 billion. It allows the Agriculture Committee to spend for the year 2002 \$7.35 billion. The Agriculture Committee in the bill we are trying to consider here adheres to those limits. It is absolutely within the budget. The \$5.1 billion goes out before September 3.

The Agriculture Committee recognized that the crop-year and the fiscal year don't coincide. The needs that farmers will have this fall as a result of the crop-year happen in the 2002 fiscal year. I think a lot of us thought that we could under the budget go into that \$7.35 billion in 2002 and spend it in 2002. None of that \$2 billion is spent in 2001; it is spent in 2002. That is allowed by the budget. We could have gone up to \$7.35 billion, but we didn't. We wanted to hold some in reserve. By taking that \$2 billion, we are able after the first of the fiscal year, October 1, we are able to have help for farmers until we get a farm bill passed or until we are able to perhaps come again some other time and expend the rest of the \$7.35 billion.

I say to my friend from Idaho, this is within the budget the \$5.5 billion we

spend this year before September 30; the other \$2 billion is spent in 2002, and there is nothing in the budget that prohibits the Agriculture Committee from saying in 2001 how we want that money spent in 2002. We have met all the requirements. There will be no budget point of order because we are well within the budget. I point that out to my friend from Idaho. He is no longer a member of the committee. I know that. I am sorry he is not. Maybe had the Senator been there he would have realized and recognized how we went about this and how we are not busting the budget in 2001.

Mrs. BOXER. Will the Senator yield?

Mr. CRAIG. Will the Senator yield?

Mr. DASCHLE. I yield to the Senator from Idaho.

Mr. CRAIG. I thank my colleagues for all of those considerations and I wish I did serve on the authorizing committee of agriculture. I serve on the appropriating subcommittee for agriculture, the appropriations, so I watch Agriculture budgets closely.

What the Senator from Iowa said is absolutely right. It is forward-funding; it is reaching into 2002 and pulling money out for 2001. I understand that. I know it will be spent in 2002 in a 2001 supplemental. I understand what is being done. I also understand that is not necessarily the way it is done. But it is OK if you can get the votes on the floor to do it. It is not necessarily how we work budgets around here.

I will also say, whether I am holding this up or not, we will be on the Agriculture bill come Monday, and Monday evening you will get cloture and we will be there and probably move it quite quickly, depending on the amendments that come. The leaders know this. There are several amendments that may be very protracted in their debate.

The reality is, last year somebody made us file cloture on the Agriculture appropriations conference report. I don't believe that was talked about in such dramatic terms, but that is exactly what happened last year. I have it in front of me, Agriculture appropriations, 106th Congress. After all the work was done, the bill was ready to be sent to the President and be signed so the money could go out and somebody had to file cloture to move the bill.

I don't know that this is so unprecedented. Thou doth protest a bit too much.

We will be on the Agriculture bill come Monday. I do appreciate the work the Senator has done. He has worked thoroughly.

Mr. DASCHLE. I yield to the Senator from California.

Mrs. BOXER. I would like to try to summarize where we are and see if my leader, the majority leader, can confirm if this is accurate.

I think the word of the day is "delay." We are seeing an Agriculture

bill, an emergency bill, being delayed. We are not going to be on it. We are going to have to debate a motion to proceed. For those people who don't know the rules of the Senate, you can invoke these rules and it can go slow. We are seeing a delay in getting help to our farmers; and we are seeing anything but a delay in the day we will have the Mexican trucks come barreling through our highways and byways when we should delay that until we have enough inspectors. We are only inspecting 2 percent of the trucks, and out of that 2 percent, 35 percent of the trucks are failing and a lot of them have no brakes.

I will not reiterate the horror stories and nightmares we heard in the committee.

Where we have a delay, we don't want a delay; that is, to help our American farmers. And where the other side is trying to do away with the delay is the day that we have trucks coming through our border into the interior of our country that are ill-equipped for those journeys.

I wonder if my leader would agree that is where we are right now.

Mr. DASCHLE. The Senator has described it very well. We have spent a week delaying completion of our work on the Transportation appropriations bill, fundamental investments in our Nation's infrastructure. Why have we done that? Because there are those who are opposed to the regulatory commitment that we want to make for truck safety in this country. They are willing to sacrifice public investment in our Nation's infrastructure not for days but for weeks because they don't think we ought to support a rigorous inspection and a rigorous standard of quality with regard to safety on our Nation's highways.

That is what this debate has been about now for several days. I am disappointed that only because of absentee Senators we lost the cloture vote tonight, but we will win that vote and inevitably we will win on the final passage of the Transportation bill. This has been nothing more than delay. This delay has been unnecessary, unproductive, and very unfortunate.

The Senator from California could not have said it better. She is right. There will be another day. We will deal with these issues. I will say, as I said a moment ago, there are some things we must do before we leave. We have no choice. So we can delay now and we will compound the problems and the circumstances involving our departure later.

Mr. REID. Will the Senator yield?

Mr. DASCHLE. I am happy to yield.

Mr. REID. I say to the majority leader in the form of a question, we don't have nearly as many farmers—we call them ranchers—in the State of Nevada, but we have some. They have benefits from this Agriculture bill—not as much as we think they should.

I say to the leader, farmers all over America are not concerned about the partisan politics. There are Democrat farmers and Republican farmers. Isn't that right?

Mr. DASCHLE. That is correct.

Mr. REID. The American public wants us to accomplish results. The fact that you have been a leader for a short period of time should not mean we cannot move forward with the legislation. Is that fair?

Mr. DASCHLE. I would say that is fair.

Mr. REID. We had the Senator from North Dakota, the Senator from California, the Senator from South Dakota, huge producers of food and fiber for this country. I know how important it is for your respective States that we move forward on this Agriculture supplemental.

I say to the leader, if I had been in my office I would have taken more calls, but I have been here most of the time, and I have had many, many calls from people interested in the high-tech industry, people on the cutting edge of what is going on in America today with computers. They want to be competitive. They think they are unable to be competitive because we cannot move forward on the Export Administration Act. There are Democrat and Republican farmers. There are also Democrat and Republican people involved in this high-tech industry. They don't care who gets credit for it.

Would the leader agree if we can move forward on the Agriculture supplemental and the Export Administration Act, there will be lots of credit to go around for Democrats and Republicans, and it would help this country?

Mr. DASCHLE. The Senator is absolutely right. The Senator has spent a good deal of time on this floor over not only of the past few months but of the past few years trying to pass the Export Administration Act. He ran into the same problems last year that we confront this year. There are those who are unwilling to consider the tremendous, negative repercussions that this country will continue to experience as a result of our inability to update the Export Administration Act now.

Further delay, and it expires. I might add, it expires in August. Further delay further undermines our ability to be competitive abroad. I don't know why anyone would want to be in a position to put this country into that kind of a situation, but because of objections on the other side, we have so far been unable to move the bill.

Mrs. CLINTON. Will the Senator yield?

Mr. DASCHLE. I am happy to yield to the Senator from New York.

Mrs. CLINTON. As the majority leader well knows, I am new to this body and I think what we have just seen raises, in my mind, serious questions about what it is we are trying to ac-

complish for the people of our States and our country.

As I understand the response of the distinguished Senator from Idaho, the delay is because somebody "unnamed" delayed something last year. That, to me, is a strikingly inadequate explanation for a delay that is holding up our efforts to help our oldest industry and our newest industry.

With the fact that New York's largest economic sector is agriculture, which most people outside New York would have no idea of, I have a great interest in the Agriculture supplemental bill because we have some aid in there for farmers who are following in the tradition of those having farmed in New York for more than 400 years. Our apple farmers are on the brink of extinction if they do not get some emergency help. We had hail last year that destroyed the crop in the Mid-Hudson River Valley; it took out orchards in the north country. So this is not any geographic issue. This is a national issue that has to be addressed.

At the same time, in New York, we have some of the cutting edge high-tech industries that are begging for the kind of direction the Export Administration Act will give them, the certainty about what they can and cannot export, whether we can be competitive globally. Both of these important pieces of legislation have to be addressed in the next week.

It is regrettable that instead of doing the people's business, dealing with the agricultural needs and the high-tech needs that really cut across every geographic and political line we have in our Nation, we see this kind of delay.

But I would ask the majority leader, is it your intention to do everything you can possibly do, as our leader, who has done, in my view, an absolutely tremendous job since assuming the leadership, to make sure that the people's needs are met? And that includes the Agriculture bill and the Export Administration bill.

Speaking just as one Senator, I do not think there is anything more important than doing the work we were sent here to do, casting the votes that will help people, and it is striking that we do not seem to have the cooperation we need on the other side.

But I would ask the leader if it is his intention to make sure that we do the people's business before we leave for the recess that is scheduled.

Mr. DASCHLE. The Senator may be new here, but she certainly understands how this institution must work. It can only work with cooperation. As she has so rightfully indicated, the situation today is that on issues of great importance, as she said, to our oldest and our newest industries, there is no question that we cannot put any higher of a priority on the work that must be done in the next week than to address both of these bills.

The agricultural supplemental package represents, for many of our program crop farmers, a significant portion of the income they will receive in this calendar year. A large portion of the income they are depending upon rides on whether or not we get this bill done in the coming week. I do not know what percent some of our high-tech companies relate to the ability to export abroad, but I would not be surprised if it were not just as great.

So she is absolutely right. We cannot leave without addressing these critical pieces of legislation. Why? Because they expire. The authorization literally expires during the month of August. So we can do it Monday, Tuesday, Wednesday, or we can work into the weekend, or the following week, but we really have to understand that these are critical bills that must be addressed. And the only way we can address them, as she correctly points out, is through the cooperative effort of both parties, and I would hope both leaders.

Mr. REID. Will the leader yield just for one more brief question?

Mr. DASCHLE. I would be happy to yield.

Mr. REID. There have been comments the last several days about what has happened in the last year. I want the RECORD to be spread with the fact—I want this confirmed by the leader—one of the assignments you gave me as assistant leader was that when difficult matters arose on the floor, one of my assignments directly from our leader—TOM DASCHLE to HARRY REID—was to do what you can, HARRY REID, to help move legislation. If it benefited the Republicans, I still had that responsibility. And there are many statements in the RECORD by Senator LOTT of how he appreciated the work we did—my name was mentioned on occasion—to move legislation.

I did that because you believed it was the right thing to do to move legislation. That is why we were able to move eight appropriations bills last year—does the Senator remember that—before the August recess?

Mr. DASCHLE. I remember that vividly. I remember how it was that we were able to work through these important matters, because we understood that October 1st is the deadline to complete all of our work on appropriations and that when you fall short of that deadline, you find yourself in a very precarious situation, making decisions without careful thought and, in some cases, making mistakes.

We want to complete our work on time. We want to be able to finish these bills. I appreciate so much the cooperation, the effort, and the leadership shown by the Senator from Nevada in reaching that goal.

Mr. REID. Does the Senator from South Dakota, our distinguished majority leader, agree that when you were the minority leader, one of your pri-

mary responsibilities was to move legislation, no matter whether it was sponsored by a Democrat or a Republican, but to move legislation off this floor?

Mr. DASCHLE. By and large, that was exactly what we attempted to do. Obviously, there were many times when there were disagreements, but we tried to work through those disagreements. I am hopeful we can do so again in the coming week.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I will return the floor to the Senator in just one brief minute. I just want to say that I think no one knows more than I do how passionately this majority leader, the then-minority leader, worked with us to get legislation passed. That is why I repeat, eight appropriations bills were passed in this body last year before the August recess. That was hard work. It only came as a result of the direction of the majority leader saying, we have to get this stuff done, that is the responsible thing for this country; and we did it.

I know there are people who come in and make little snippets about the fact that things have happened in the past. Look at our record. Look at our record of how we helped move legislation. Of course, there were disagreements on our side, but they passed quickly. Lots of amendments were filed on bills. We worked through those.

I just say, I hope people will look at what we did and work with us to try to move legislation. We want to do that. If we do something that is good, there is credit for everyone to go around. If we do not do things, there is blame to go around, as well it should. But the blame now should be with the minority because they simply have not allowed us to proceed on important legislation for this country.

The PRESIDING OFFICER. The Senator from New York.

MORNING BUSINESS

Mrs. CLINTON. Madam President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATIONS

Mr. NICKLES. Mr. President, I have noted with interest the comments of Senators DASCHLE and REID regarding unfinished legislative work before the recess. What is also unfinished business before the recess is nominations. Over the past week, Senator REID and I have had a series of continued conversations regarding nominations, and we will continue to talk in good faith to make progress on nominations.

But our unfinished work here in the Senate is not just legislative in nature.

It is necessary that we work hard to clear a sizable number of nominations before the recess, to give the President the public servants he needs to staff his administration, make it run, have it work, and see it accountable to the American people.

I look forward to seeing the Senate head towards the recess with work on both the legislative and executive calendars. I yield the floor.

PLIGHT OF DETAINED PERMANENT UNITED STATES RESIDENT LIU YAPING IN INNER MONGOLIA

Mr. DODD. Madam President, I rise today to bring to my colleague's attention a terribly distressing, and I am afraid, all too familiar situation; the arrest and detention of American citizens and permanent residents traveling in China. I specifically want to comment on the case of Mr. Liu Yaping. Mr. Liu is a resident of my home State of Connecticut and is married to a United States citizen. He has an American son and has been granted permanent residency in this country. Nevertheless, on a trip to his home country of China this past spring, he was abruptly detained and arrested on charges of tax evasion. More than four months after his initial arrest, the evidence against him for this alleged crime has yet to be produced by the Chinese authorities, and he has not been officially charged with a crime. In the meantime, he is being detained indefinitely.

Liu Yaping has been held in near isolation in Inner Mongolia, and we suspect that he may have been mistreated during his time in prison. He has been unable to contact his family, and because he is a permanent resident of the U.S., and not a citizen, he has been denied the right to consult with United States diplomats while in detention. He has been granted only very limited access to his attorneys, and has been unable to answer the charges against him.

The most troubling part of this story is that we have learned that Mr. Liu is ill and may die at any moment. It has been reported that he is suffering from a cerebral aneurysm, possibly caused by torture or beatings, for which he has gone largely untreated. Without immediate and appropriate medical attention, the aneurysm will continue to leak, and the danger is very real that he will die. His family has asked to review his medical records, but thus far this request has been denied. Instead, they receive only bills for medical services performed, without documentation or description. Mr. Liu's family has asked that he be transferred to a hospital in Beijing, but this request has been rejected by the Chinese government.

I cannot begin to imagine the toll that this ordeal has taken on Mr. Liu's

wife, and 15 year-old son. Knowing their loved one is alone and in danger, they wait anxiously for any notice from the Chinese authorities indicating that his situation has improved. Mrs. Liu has been in steady contact with my office and grows increasingly distraught with each day that passes with no news of her husband. The U.S. embassy in China, despite their best efforts, has not been able to make inroads in this case, and due to Mr. Liu's grave medical condition, time has become an important factor when considering his case.

We cannot allow gross human rights violations to continue on our watch. It is the responsibility of all of us to ensure that our citizens and permanent residents receive just and equal treatment at home and abroad.

As my colleagues know, in the past year, several American citizens and permanent residents have been detained in China. Gao Zhan, an American University researcher, was sentenced to 10 years on July 24, after a lengthy detention and a brief trial, during which not a single witness was called. She was arrested on espionage charges and linked to recently convicted business Professor Li Shaomin, who was recently ordered deported. Mrs. Gao was recently granted medical parole, due to a worsening heart condition and, as a precedent exists for this type of parole, it is my hope that Mr. Liu will be granted a similar clemency. Until such time, though, we must do all we can to fight for the safety, basic human rights, and release of Mr. Liu.

As you may know, the Senate has not stayed quiet on this matter. Along with several of my colleagues, I have signed on as a cosponsor to Senate Resolution 128, urging the release of Liu Yaping and other American permanent residents and U.S. citizens. However, despite the efforts of Congress, I believe that this is an issue best dealt with at higher diplomatic levels. As you know, this Saturday, Colin Powell will be arriving in China. Secretary Powell has expressed his frustration with the situation of Mr. Liu, and I hope that he will raise the issue of Liu Yaping's incarceration with the Chinese authorities. Although the Chinese government has indicated that it wishes to focus on the larger issues of trade and economic cooperation between our two countries, I feel that a frank discussion on human rights is an equal priority. I hope that such a discussion would lead to a better understanding of American concerns in this case specifically, and the eventual release of all prisoners wrongfully detained in China.

I feel strongly that the Chinese government must understand that detaining our citizens without due process will only exacerbate the diplomatic tensions between our two nations. By creating a climate of fear for those Chinese-American citizens who would

otherwise seek to bring their expertise and knowledge back to their homeland, China is discouraging the flow of intellectual capital back into its countryside, and compromising any confidence on the part of the United States regarding pledged improvements in human rights.

I wish Secretary Powell well on his trip, and urge the Chinese government to release Mr. Liu. I have asked Secretary Powell to bring this case up specifically while in China. It is my sincere hope that this action will bear fruit, and this matter will soon be resolved. Hopefully, Mr. Liu will soon be at home again in Connecticut, safe, and in the company and care of his family.

MURDERS CANNOT GO UNPUNISHED

Mr. MCCONNELL. Madam President, the murder of American citizens abroad is always a cause for concern, and I want to bring the attention of my colleagues to the killings of the Bytyqi brothers from New York City. Agron, Mehmet, and Yli were reportedly discovered in a mass grave in Petrovo Selo, Serbia with their hands bound and gunshot wounds to their chests.

This heinous crime should be of particular concern to all of us. Not only were the Bytyqi brothers American citizens, but they were also of Albanian origin. We know well the brutal treatment of Albanians in Kosovo and Serbia during the war. My heart goes out to all the victims and their families.

I recently wrote to Attorney General John Ashcroft asking for the Federal Bureau of Investigation to become involved in this case. Human rights workers and investigators, including from the United Nations, should assist in delivering justice to the Bytyqi family.

There are reports that the brothers were murdered by policemen. I know my colleagues will agree that the murder of Americans overseas cannot go unpunished. I will continue to closely follow developments in this case—as well as the continued detention of political prisoners in Serbian jails.

I ask that an article from the July 15th edition of the Washington Post detailing this crime appear in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 15, 2001]

THREE AMERICANS FOUND IN SERBIAN MASS GRAVE SITE

(By R. Jeffrey Smith and Peter Fin)

PRISTINA, Yugoslavia, July 14—The three young American men had their hands tied with wire. Their heads were covered by black hoods, and they were dressed in civilian clothes. They were each shot at close range, and their bodies were dumped in a pit dug in the Yugoslav national forest near the Serbian town of Petrovo Selo.

The men—all brothers of ethnic Albanian origin—had worked with their father as painters and made pizzas on Long Island before going to fight in the Kosovo war with the so-called Atlantic Brigade, a group of about 400 Albanian Americans who volunteered to join the rebel Kosovo Liberation Army. But they disappeared into a Serbian prison 17 days after the end of NATO's bombing campaign against Yugoslavia in 1999, when hostilities had ceased.

For nearly two years, neither their family nor the U.S. government was able to learn their whereabouts. Then, last week, their bodies were discovered in a mass grave by Serbian police investigators. Together with officials of a Belgrade-based human rights group, the police have begun to assemble a picture of how the men, born in Illinois, lost their lives during the violence that raged in and around the Serbian province of Kosovo in the spring and summer of 1999.

Serbian officials and others monitoring the probe say the three—Yli, Agron and Mehmet Bytyqi, ethnic Albanians ages 24, 23 and 21 at the time of their death—appear to have been murdered by policemen. Their bodies were placed in the grave with 13 ethnic Albanians from Kosovo, not far from a special police training center 120 miles east of the capital of Belgrade. A second grave nearby contains 59 bodies, and investigators suspect they will find many other sites as they begin to probe the forest more carefully.

The Bytyqis are the first Americans to turn up in a Serbian mass grave. "Believe me, this is going to be a very important case for us," the U.S. chief of mission in Yugoslavia, William Montgomery, said in a telephone interview. "We need to get real information from the Yugoslav authorities. We are going to insist they do a full investigation."

Montgomery said he and other U.S. officials had sought information about the Bytyqis from the Yugoslav Foreign Ministry several times since Yugoslav President Slobodan Milosevic was ousted in October, but the ministry acknowledged only that the brothers had been imprisoned after the war ended.

Circumstantial evidence unearthed so far raises the possibility of a revenge slaying by policemen, possibly motivated by anger over the leading role that the United States played in pressing for Western intervention in Kosovo to halt human rights abuses committed by Yugoslav security forces against Kosovo's ethnic Albanian majority.

"They were killed because they were American citizens," said Bajram Krasniqi, a lawyer in Pristina, Kosovo's provincial capital, retained by the Bytyqi family to press for information about the case. "There were people in that prison who were in [the rebel army] . . . and they were eventually released. This is the only case where someone was arrested, taken to court, tried, released out of the prison and then executed."

"This crime was planned, ordered and conducted without any judicial act and it was done by Serbian officials in cooperation with officials at the prison," Krasniqi said. "Hopefully, the Serb authorities will now arrest these people and they will be brought to justice."

The men's mother, Bahrije Bytyqi, and their father, Ahmet Bytyqi, had moved their family from Illinois to Kosovo in 1979 and later separated. Ahmet moved to New York and Yli, Agron and Mehmet joined him one at a time when each turned age 17.

Bahrije was expelled from Kosovo during the war by security forces but later returned

to the southern Kosovo city of Prizren. She has been distraught and sedated since learning last week of the discovery of her sons' bodies in Serbia, and could not be interviewed today. When her 22-year old son, Fatos, a resident of Prizren, was interviewed today, he initially lied about his brothers' wartime activities, later explaining he had been "advised" not to discuss their membership in the Atlantic Brigade.

But members of the brigade interviewed in New York said that the brothers had been enthusiastic—if naive—volunteers in the unit. They had different personalities: Ylli was quiet, Agron an outgoing partier, Mehmet a hard worker. But all three left New York on the brigade's charter flight in the spring of 1999 and tried to join the same rebel unit—only to be told by rebel leaders that they had to fight separately.

"They had that youthfulness that exploded in their faces," said fellow rebel Arber Muriqui in New York.

In mid-June 1999, when NATO forces deployed inside Kosovo to police a cease-fire, the brothers escorted their mother back into the province. Roughly two weeks later, the brothers told Fatos they were going to Pristina. Their mission, he said, was to visit some ethnic Albanian friends from New York who had fought with the Atlantic Brigade.

Amid the postwar chaos—and seething tensions between ethnic Serbs and Albanians—they headed north in a Volkswagen Golf on June 26. An ethnic Roma neighbor of Bahrije's, Miroslav Mitrovic, has told the Belgrade-based Humanitarian Law Center, an independent group, that the three brothers offered him and two other Romas a ride out of Prizren and into southern Serbia, but Fatos says the brothers never mentioned the plan and he cannot confirm the tale.

There is a dispute between Fatos and Mitrovic over why the brothers did not have their U.S. passports with them on the journey; in any event, Fatos and the family lawyer say, the brothers carried other identification that clearly indicated they were American residents, including New York state driver's licenses. Around their necks, he said, were medallions bearing the seal of the Kosovo Liberation Army.

The brothers were detained at a Serbian checkpoint in the village of Merdare; the Romas were allowed to proceed, Mitrovic told the law center. A magistrate in the nearby town of Kursumlija sentenced them to at least 15 days in jail for illegally crossing the border between Serbia and Kosovo, a Serbian province. The next day—June 27—they were transferred to a prison in Prokuplje, in southern Serbia.

There, according to documents and testimony obtained by the law center, the three brothers were interviewed by a police inspector named Zoran Stakovic, whose specialty was cases involving foreign citizens. Four days before the end of their sentence, Stankovic came to the prison and told the warden to release them into his custody, the law center said it had learned.

Fatos said he was told by a prison official, whom the family bribed for information four months ago, that the three brothers were taken to the back door of the prison and handed over to two plainclothes police in the company of the uniformed patrolmen. They were driven away in the company of the uniformed patrolmen. They were driven away in a white car and never seen alive again.

Their family became so desperate that at one point they persuaded their lawyer, Krasniqui, to write a letter to Miloservic, pleading for information about her sons;

their mother also went to the prison in Serbia to demand answers. "They were very hopeful that the boys would return because once they were in prison, Serb authorities would be aware that they are American citizens," and Marin Vulaj, vice chairman of the National Albanian American Council.

The law center made inquiries in August, September and October 1999, after Mitrovic contacted the center to express his own concern, but only received a copy of the brothers' prison release order.

"I was hoping they were alive," Fatos said. "We were very shocked. We had no idea how they could have gotten" to the mass grave site in Petrovo Selo. In a statement issued on Saturday, the law center demanded that the Serbian government "tell the mother the truth."

THE PACE OF JUDICIAL NOMINATIONS

Mr. LEAHY. Madam President, I was pleased that the Judiciary Committee was able to hold another confirmation hearing for judicial and executive branch nominees this week. Since the Senate was allowed to reorganize just before the July 4th recess, returned from that recess to reconvene on July 9 and then assigned members to committees on July 10, this was the fourth hearings on Presidential nominations that the Judiciary Committee has held in 2 weeks. I cannot remember any time in the last 6 years when the Judiciary Committee held four confirmation hearings in 2 weeks. Two of those hearings involved judicial nominees to the Courts of Appeals.

I appreciated that when Senators LOTT, BAUCUS, COCHRAN, and HUTCHINSON appeared before the Judiciary Committee to introduce nominees, they recognized that we were acting quickly. Likewise, the nominees who have appeared before the committee have recognized that we have been moving expeditiously and have thanked us for doing so. I appreciate their recognition of our efforts and their kind words.

Just last Friday we were able to confirm a number of judicial and executive nominations. We confirmed Judge Roger Gregory for a lifetime appointment to the U.S. Court of Appeals for the Fourth Circuit. This is a nominee who had waited in vain since June of last year for the Senate to act on his nomination. In the year that followed his nomination he was unable even to get a hearing from the Republican majority. This month, in less than 2 weeks the Judiciary Committee held that hearing, reported his nomination favorably to the Senate on a 19 to 0 vote and the Senate voted to confirm him by a vote of 93 to 1 vote. The supposed controversy some contend surrounded this nomination was either nonexistent or quickly dissipated.

In spite of the progress we have been making during the few weeks since the Senate was allowed to reorganize, in spite of the confirmation on Friday of

three judicial nominations, include one to a Court of Appeals; in spite of the confirmation of two more Assistant Attorneys General for the Department of Justice, including the Assistant Attorney General in charge of the Civil Rights Division; in spite of the back-to-back days of hearings for the President's nominees to head the Drug Enforcement Administration and the Immigration and Naturalization Service on Tuesday and Wednesday of last week; despite our noticing a hearing for another Court of Appeals nominee and another Assistant Attorney General for this Tuesday; despite our having noticed expedited hearings on the nomination to be Director of the Federal Bureau of Investigation beginning next Monday; despite all these efforts and all this action, on Monday our Republican colleagues took to the Senate floor to change the tone of Senate debate on nominations into a bitterly partisan one. That was most unfortunate.

I regret that we lost the month of June to Republican objections to reorganization or we might have been able to make more progress more quickly. There was no secret about the impact of that delay at the time. Unfortunately, that month is gone and we have to do the best that we can do with the time remaining to us this year. This month the Judiciary Committee is holding hearings on the nominees to head the FBI, DEA and INS. In addition, we have held hearings on two more Assistant Attorneys General and the Director of the National Institute of Justice.

Just last Friday we were able to confirm Ralph Boyd, Jr. to serve as the Assistant Attorney General to head the Civil Rights Division. Of course, the Republican majority never accorded his predecessor in that post, Bill Lann Lee, a Senate vote on his nomination in the 3 years that it was pending toward the end of the Clinton administration. Some of those now so publicly critical of the manner in which we are expediting consideration of President Bush's nominations to executive branch positions seem to have forgotten the types of unending delays that they so recently employed when they were in the majority and President Clinton was urging action on his executive branch nominations.

I noted last Friday that we have already acted to confirm six Assistant Attorneys General as well as the Deputy Attorney General, the Solicitor General and, of course, the Attorney General himself.

We have yet to receive a number of nominations including one for the No. 3 job at the Department of Justice, the Associate Attorney General. We have yet to receive the nomination of someone to head the U.S. Marshals Service. Even more disturbing, we have yet to receive a single nomination for any of

the 94 U.S. Marshals who serve in districts within our States. We have yet to receive the first nomination for any of the 93 U.S. Attorneys who serve in districts within our States.

We have much work to do. The President has work to do. The Senate has work to do. That work is aided by our working together, not by the injecting the type of partisanship shown over the last 6 years when the Republican majority delayed action on Presidential nominees or the partisan rhetoric that was cast about on Monday. That may make for backslapping at Republican fundraisers, but it is counterproductive to the bipartisan work of the Senate.

In this regard, I am also extremely disappointed by the decision of the Republican Leadership to have all Republican Senators refuse to chair the Senate. I was one who suggested to Senator DASCHLE, Senator LOTT and others that we resume the practice of having Senators from all parties chair the Senate. That was a longstanding practice in the Senate and the practice when I first joined this body. It was our practice until fairly recently when a breach in Senate protocol led to the period in which only Senators from the majority party sat in the chair of the President of the Senate.

I thought that it sharing the chair was one of the better improvements we made earlier this year when we were seeking to find ways to lower the partisan decibel level and restore collegiality to the Senate. It was a good way to help restore some civility to the Senate, to share the authority and responsibility that comes with being a member of the Senate. I deeply regret that the Republican minority has chosen no longer to participate in this aspect of the Senate. I am disappointed, and fear this is another sign that they are coming to view the Senate through the narrow lens of partisanship.

That partisan perspective, criticizing for criticism's sake or short-term political advantage, seems to be the motivation for the statements made in the wake of our achievements last Friday. If the Senate majority is going to be criticized when we make extraordinary efforts of the kind we have been making over the last two weeks, some will be forced to wonder whether such action is worth the effort.

Moreover, the criticism is ignorant not only of recent facts but wholly unappreciative of the historical context in which we are working. Let me mention just a few of the many benchmarks that show how fair the Senate majority is being.

This year has been disrupted by two shifts in the majority. We were delayed until March in working out the first resolutions organizing the Senate and its committees. Senator DASCHLE deserves great credit for his patience and for working out the unique arrange-

ments that governed during the period the Senate was divided on a 50-50 basis. Likewise, I complimented Senator LOTT for his efforts in late February and early March to resolve the impasse.

In late May and early June the Senate had the opportunity to arrange a timely transition to a new majority. Republican objections squandered that opportunity and we endured a month-long delay in reorganizing the Senate. Ultimately, the reorganization ended up being what could have been adopted on June 6. Again, I commend Senator DASCHLE's leadership and patience in keeping the Senate on course, productive and working. During that month the Senate considered and passed the bipartisan Kennedy-McCain-Edwards Patients' Bill of Rights.

But work in the Judiciary Committee was limited to investigative hearings. We could not hold business meetings or fairly proceed to consider nominations. That period finally drew to a close beginning on June 29 and culminated on July 10 when Republican objections finally subsided, a resolution reorganizing the Senate was considered and Committee assignments were made.

Now consider the progress we have made on judicial nominations in that context. There were no hearings on judicial nominations and no judges confirmed in the first half of the year with a Republican majority. The first hearing I chaired on July 11 was one more than all the hearings that had been held involving judges in the first half of the year. The first judicial nomination who the Senate confirmed last Friday was more than all the judges confirmed in the first half of the year.

In the entire first year of the first Bush administration, 1989, without all the disruptions, distractions and shifts of Senate majority that we have experienced this year, only five Court of Appeals judges were confirmed. In the first year of the Clinton administration, 1993, without all the disruptions, distractions and shifts in Senate majority that we have experienced this year, only three Court of Appeals judges were confirmed all year. In less than 1 month this year—in the 2 weeks since the committee assignments were made on July 10, we have held hearings on two nominees to the Courts of Appeals and confirmed one. In 1993, the first Court of Appeals nominee to be confirmed was not until September 30. During recent years under a Republican Senate majority, there were no Court of Appeals nominees confirmed at any time during the entire 1996 session, not one. In 1997, the first Court of Appeals nominee was not confirmed until September 26. A fair assessment of the circumstances of this year would suggest that the confirmation of a Court of Appeals nominee this early in the year and the confirmation of even

a few Court of Appeals judges in this shortened time frame of only a few weeks in session should be commended, not criticized.

The Judiciary Committee held two hearings on two Court of Appeals nominees this month. In July 1995, the Republican chairman held one hearing with one Court of Appeals nominee. In July 1996, the Republican chairman held one hearing with one Court of Appeals nominee, who was confirmed in 1996. In July 1997, the Republican chairman held one hearing with one Court of Appeals nominee. In 1998, the Republican chairman did hold two hearings with two Court of Appeals nominees, but neither of whom was confirmed in 1998. In July 2000, the Republican chairman did not hold a single hearing with a Court of Appeals nominee. During the more than 6 years in which the Senate Republican majority scheduled confirmation hearings, there were 34 months with no hearing at all, 30 months with only one hearing and only 12 times in almost 6½ years did the Judiciary Committee hold as many as two hearings involving judicial nominations in a month. So even looking at this month in isolation, without acknowledging the difficulties we had to overcome, our productivity compares most favorably with the last 6 years. When William Riley, the nominee included in the hearing this week is confirmed as a Court of Appeals Judge for the Eighth Circuit, we will have exceeded the Committee's record in 5 of the last 6 years. Given these efforts and achievements, the Republican criticism rings hollow.

I also observe that the criticism that our multiple hearings are proceeding with one Court of Appeals nominee ignores that has been a standard practice by the committee for at least decades. Last year the Republican majority held only eight hearings all year and only five included even one Court of Appeals nominee. Of those five nominees only three were reported to the Senate all year. Nor was last year anomalous. With some exceptions, the standard has been to include a single Court of Appeals nominee at a hearing and, certainly, to average one Court of Appeals judge per hearing. In 1995, there were 12 hearings and 11 Court of Appeals judges were confirmed. In 1996 there were only six hearings all year, involving five Court of Appeals nominees and none were confirmed. In 1997 there were nine hearings involving nine Court of Appeals nominees and seven were confirmed. In 1998 there were 13 hearings involving 14 Court of Appeals nominees and a total of 13 were confirmed. In 1999, there were seven hearings involving a rehearing for one and nine additional Court of Appeals nominees and only seven Court of Appeals judges were confirmed. Thus, over the course of the last 6 years there have been a total of 55 hearings and only 46 Court of Appeals judges confirmed.

I have also respectfully suggested that the White House work with Senators to identify and send more District Court nominations to the Senate who are broadly supported and can help us fill judicial vacancies in our Federal trial courts. According to the Administrative Office of the U.S. Courts, almost two-thirds of the vacancies on the federal bench are in the District Courts, 75 of 108. But fewer than one-third of President Bush's nominees so far, nine out of 30, have been for District Court vacancies. The two who were consensus candidates and whose paperwork was complete have had their hearing earlier this month and were confirmed last Friday.

I did try to schedule District Court nominees for our hearing this week, but none of the files of the seven District Court nominees pending before the Committee was complete. Because of President Bush's unfortunate decision to exclude the American Bar Association from his selection process, the ABA is only able to begin its evaluation of candidates' qualifications after the nominations are made public. We are doing the best we can, and we hope to include District Court candidates at our next nominations hearing.

The Senators who spoke earlier this week also sought to make much of judicial emergency designations. What they fail to mention is that of the 23 District Court vacancies classified as judicial emergencies by the Administrative Office of the Courts, President Bush has not sent the Senate a single nominee 23 District Court emergency vacancies without a nominee. Almost one-third of judicial emergency vacancies on the Courts of Appeals, 6 of the 16 are without a nominee, as well. Of course, Judge Roger Gregory was confirmed for a judicial emergency vacancy on the Fourth Circuit, but Republican critics make no mention of that either.

What I find even more striking, as someone who worked so hard over the last several years to fill these vacancies, is that the Republican criticism fails to acknowledge that many of these emergency vacancies became emergency vacancies and were perpetuated as emergency vacancies by the Republican majority's refusal to act on President Clinton's nomination over the last 6 years. Indeed, the Republican Senate over the last several years refused to take action on no fewer than a dozen nominees to what are now emergency vacancies on the Courts of Appeals. I remind my colleagues of their failure to grant a hearing or Committee or Senate consideration to the following: Robert Cindrich to the Third Circuit; Judge James A. Beaty, Jr. and Judge James A. Wynn, Jr. to the Fourth Circuit; Jorge Rangel, Enrique Moreno and H. Alston Johnson to the Fifth Circuit; Judge Helene White, Kathleen McCree-Lewis and Kent

Marcus to the Sixth Circuit; Bonnie Campbell to the Eighth Circuit; James Duffy and Barry Goode to the Ninth Circuit. Those were 12 Court of Appeals nominees to 10 vacancies who could have gone a long way toward reducing the level of judicial emergencies around the country.

So when others talk about the progress we are finally making in Senate consideration of judicial nominations, I hope that in the future they will recognize our accomplishments, understand our circumstances, and consider our record in historical context. I have yet to hear our Republican critics acknowledge any shortcomings among the practices they employed over the last 6 years. When they have done that and we have established a common basis of understanding and comparison, we will have taken a significant step forward. As it is, I must sadly observe that partisan carping is not constructive. It seems part of an unfortunate pattern of actions this week that are a conscious effort to increase the partisan rhetoric. I would rather we work together to get as much accomplished as we possibly can.

QUESTIONS FOR PARENTS

Mr. LEVIN. Madam President, according to a study by the Brady Center to Prevent Gun Violence, in 1998, there was a gun in more than four out of every ten households with children and a loaded gun in one in every ten households with kids. These numbers are frightening. While most parents think to ask where their kids are going, who they are going with and when they will be home, how many think to ask the parents of their children's friends whether they keep a gun in their home and whether they keep it locked?

Unfortunately, the Brady Center's study reports that more than 60 percent of parents have never even thought about asking other parents about gun accessibility. If we want to protect our children from gun violence, these are questions we probably need to start asking. After all, while in 1 year firearms killed no children in Japan, 19 in Great Britain and 153 in Canada, guns killed 5,285 children in the United States. Asking another parent whether they keep a gun in their home is tough. But the question could save a child's life.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in April of 1996 in Myrtle Beach, SC. A man was beaten by a group of men yelling "we're going to get you, faggot" and left for dead in a trash bin under the body of his friend who had his throat slashed by the men. The attack occurred outside a primarily heterosexual bar. As a result of the attack, the man lost his hearing in one ear, suffered broken ribs and required 47 stitches in his face.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

TRIBUTE TO SENATOR MOYNIHAN AND HIS LEGACY OF DEFENDING ZIONISM

Mrs. CLINTON. Madam President, I rise today to honor one of the extraordinary legacies of my predecessor, Senator Daniel Patrick Moynihan, who served in this body for 24 years representing the people of New York.

With some seeking to insert contentious language regarding Zionism into declarations emerging from the upcoming United Nations World Conference Against Racial Discrimination, Xenophobia, and Related Intolerance in Durban, South Africa, I am reminded of Senator Moynihan's courageous statesmanship, when he condemned the 1975 U.N. resolution 3379 which infamously declared "Zionism is a form of racism and racial discrimination."

We should never forget the historic battle my predecessor waged to defeat this outrageous effort to de-legitimize the state of Israel and defame the Jewish people. Over 25 years ago, Senator Moynihan boldly called this hate-filled language "criminal." It was criminal then and it's still criminal today.

On the day the resolution passed, Senator Moynihan declared, "the United States . . . will never acquiesce in this infamous act . . . A political lie of a variety well known to the twentieth century and scarcely exceeded in all the annals of untruth and outrage. The lie is that Zionism is a form of racism. The overwhelming truth is that it is not."

From the moment he entered the Senate in January 1977, Senator Moynihan dedicated much of his energy to repealing this despicable attack on Israel and the Jewish people, delivering passionate speeches on the Senate floor. As chair of the Senate Foreign Relations Subcommittee on Near Eastern and South Asian Affairs, Senator Moynihan introduced Joint Resolution 246, which called on the U.N. to repeal the 1975 resolution.

It took 17 long years to remove this stain from the United Nations' reputation. And as we begin this new century,

nothing could be more damaging to the promise and integrity of the U.N. than to revive to this ignominious statement. In order to help prevent the U.N. from reviving one of the moments of its greatest shame, Senators SCHUMER, SMITH, LUGAR and I have written the following letter to Kofi Annan, the Secretary General of the United Nations, condemning any attempts to include inflammatory anti-Israel language into declarations associated with the World Conference Against Racism in Durban.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 27, 2001.

Hon. KOFI A. ANNAN,
Secretary General of the United Nations, The United Nations, New York, NY.

DEAR SECRETARY GENERAL ANNAN: We are writing to express our serious concern regarding recent efforts to insert contentious language into declarations emerging from the upcoming United Nations World Conference Against Racism in Durban, South Africa. Such language, such as "the racist practices of Zionism," undermines the goals of the conference to eradicate hatred and promote understanding. This meeting of the international community should not be a forum to encourage divisiveness, but a time to foster greater understanding between people of all races, creeds, and ethnicities.

As you know, on November 10, 1975, the United Nations General Assembly designated Zionism a form of racism. It took sixteen long years for the United Nations to acknowledge that this offensive language had no place at such an important world body. In March of 1998, you appropriately condemned this ugly formulation when you noted that the "lamentable resolution" equating Zionism with racism and racial discrimination was "the low-point" in Jewish-UN relations. Our former colleague Senator Daniel Patrick Moynihan called this designation by the United Nations "criminal."

Though this "Zionism equals racism" language was overwhelmingly rescinded in 1991 by the General Assembly, this issue is far from resolved. With the Palestinians and Israelis in the middle of a delicate cease-fire and after months of violence, we believe that gratuitously anti-Israel, anti-Jewish language at a UN forum will serve only to exacerbate existing tensions in the Middle East.

Mr. Secretary, we in Congress applaud your hard work in restoring the reputation of the UN. We urge you to continue your efforts by advocating to all nations of the world the importance of keeping inflammatory language out of this important conference. It is our hope that the Conference on Racism remains only as an opportunity to promote peace and reconciliation among all people, not one to target Israel or Jews. We share a deep common interest in seeing the conference stay focused and embody a sense of unity in the fight against racism. Thank you for your attention to this matter of great importance.

Sincerely,

CHARLES E. SCHUMER,
HILLARY RODHAM CLINTON,
GORDON SMITH,
RICHARD G. LUGAR,
United States Senate.

Mrs. CLINTON. In 1975, Senator Moynihan warned his colleagues at the

U.N. and the rest of the world that: "As this day will live in infamy, it behooves those who sought to avert it to declare their thoughts so that historians will know that we fought here . . . with full knowledge of what indeed would be lost."

Senator Moynihan recognized then, as we do today, that this language only serves to fuel hatred and bigotry throughout the world and has no place in international discourse. I am honored to have followed Senator Moynihan in the Senate, and I pledge to continue his tradition of promoting the principles of decency and human dignity and opposing efforts to sow hatred and bigotry, especially when they are cloaked in the guise of diplomacy.

I ask unanimous consent that the attached statement be printed for the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SPEECH TO THE UNITED NATIONS GENERAL ASSEMBLY, BY U.S. AMBASSADOR TO THE U.N. DANIEL PATRICK MOYNIHAN, NOVEMBER 10, 1975

The United States rises to declare before the General Assembly of the United Nations, and before the world, that it does not acknowledge, it will not abide by, it will never acquiesce in this infamous act.

Not three weeks ago, the United States Representative in the Social, Humanitarian, and Cultural Committee pleaded in measured and fully considered terms for the United Nations not to do this thing. It was, he said, "obscene." It is something more today, for the furtiveness with which this obscenity first appeared among us has been replaced by a shameless openness.

There will be time enough to contemplate the harm this act will have done the United Nations. Historians will do that for us, and it is sufficient for the moment only to note the foreboding fact. A great evil has been loosed upon the world. The abomination of anti-semitism—as this year's Nobel Peace Laureate Andrei Sakharov observed in Moscow just a few days ago—the Abomination of anti-semitism has been given the appearance of international sanction. The General Assembly today grants symbolic amnesty—and more—to the murderers of the six million European Jews. Evil enough in itself, but more ominous by far is the realization that now presses upon us—the realization that if there were no General Assembly, this could never have happened.

As this day will live in infamy, it behooves those who sought to avert it to declare their thoughts so that historians will know that we fought here, that we were not small in number—not this time—and that while we lost, we fought with full knowledge of what indeed would be lost.

Nor should any historian of the event, nor yet any who have participated in it, suppose, that we have fought only as governments, as chancelleries, and on an issue well removed from the concerns of our respective peoples. Others will speak for their nations: I will speak for mine.

In all our postwar history there had not been another issue which has brought forth such unanimity of American opinion. The President of the United States has from the first been explicit: This must not happen. The Congress of the United States in a meas-

ure unanimously adopted in the Senate and sponsored by 436 of 437 Representatives in the House, declared its utter opposition. Following only American Jews themselves, the American trade union movements was first to the fore in denouncing this infamous undertaking. Next, one after another, the great private institutions of American life pronounced anathema in this evil thing—and most particularly, the Christian churches have done so. Reminded that the United Nations was born in struggle against just such abominations as we are committing today—the wartime alliance of the United Nations dates from 1942—the United Nations Association of the United States has for the first time in its history appealed directly to each of the 141 other delegations in New York not to do this unspeakable thing.

The proposition to be sanctioned by a resolution of the General Assembly of the United Nations is that "Zionism is a form of racism and racial discrimination." Now this is a lie. But as it is a lie which the United Nations has now declared to be a truth, the actual truth must be restated.

The very first point to be made is that the United Nations has declared Zionism to be racism—without ever having defined racism. "Sentence first—verdict afterwards," as the Queen of Hearts said. But this is not wonderland, but a real world, where there are real consequences to folly and to venality. Just on Friday, the President of the General Assembly, speaking on behalf of Luxembourg, warned not only of the trouble which would follow from the adoption of this resolution but of its essential irresponsibility—for, he noted, members have wholly different ideas as to what they are condemning. It seems to me that before a body like this takes a decision they should agree very clearly on what they are approving or condemning, and it takes more time."

Lest I be unclear, the United Nations has in fact on several occasions defined "racial discrimination." The definitions have been loose, but recognizable. It is "racism," incomparably the more serious charge—racial discrimination is a practice; racism is a doctrine—which has never been defined. Indeed, the term has only recently appeared in the United Nations General Assembly documents. The one occasion on which we know the meaning to have been discussed was the 1644th meeting of the Third Committee on December 16, 1968, in connection with the report of the Secretary-General on the status of the international convention on the elimination of all racial discrimination. On that occasion—to give some feeling for the intellectual precision with which the matter was being treated—the question arose, as to what should be the relative positioning of the terms "racism" and "Nazism" in a number of the "preamble paragraphs." The distinguished delegate from Tunisia argued that "racism" should go first because "Nazism was merely a form of racism." Not so, said the no less distinguished delegate from the Union Soviet Socialist Republics. For, he explained, "Nazism contained the main elements of racism within its ambit and should be mentioned first." This is to say that racism was merely a form of Nazism.

The discussion wound to its weary and inconclusive end, and we are left with nothing to guide us for even this one discussion of "racism" confined itself to world orders in preambular paragraphs, and did not at all touch on the meaning of the words as such. Still, one cannot but ponder the situation we have made for ourselves in the context of the Soviet statement on that not so distant occasion. If, as the distinguished delegate declared, racism is a form of Nazism—and if, as

this resolution declares, Zionism is a form of racism—then we have step by step taken ourselves to the point of proclaiming—the United Nations is solemnly proclaiming—that Zionism is a form of Nazism.

What we have here is a lie—a political lie of a variety well known to the twentieth century, and scarcely exceeded in all that annal of untruth and outrage. The lie is that Zionism is a form of racism. The overwhelmingly clear truth is that it is not.

The word “racism” is a creation of the English language, and relatively new to it. It is not, for instance, to be found in the Oxford English Dictionary (appears in 1982 supplement to Oxford Dictionary). The term derives from relatively new doctrines—all of them discredited—concerning the human population of the world, to the effect that there are significant biological differences among clearly identifiable groups, and that these differences establish, in effect, different levels of humanity. Racism, as defined in Webster's Third New International Dictionary, is “The Assumption that . . . traits and capacities are determined by biological race and that races differ decisively from one another.” It further involves “a belief in the inherent superiority of a particular race and its right to dominate over others.”

This meaning is clear. It is equally clear that this assumption, this belief, has always been altogether alien to the political and religious movement known as Zionism. As a strictly political movement, Zionism was established only in 1897, although there is a clearly legitimate sense in which its origins are indeed ancient. For example, many branches of Christianity have always held that from the standpoint of biblical prophets, Israel would be reborn one day. But the modern Zionism movement arose in Europe in the context of a general upsurge of national consciousness and aspiration that overtook most other people of Central and Eastern Europe after 1848, and that in time spread to all of Africa and Asia. It was, to those persons of the Jewish religion, a Jewish form of what today is called a national liberation movement. Probably a majority of those persons who became active Zionism and sought to emigrate to Palestine were born within the confines of Czarist Russia, and it was only natural for Soviet Prime Minister Andrei Gromyko to deplore, as he did in 1948, in the 299th meeting of the Security Council, the act by Israel's neighbors of “sending troops into Palestine and carrying out military operations aimed”—in Mr. Gromyko's words—at the suppression of the national liberation movement in Palestine.”

Now it was the singular nature—if, I am not mistaken, it was the unique nature—of this national liberation movement that in contrast with the movements that preceded it, those of that time, and those that have come since, it defined its members in terms not of birth, but of belief. That is to say, it was not a movement of the Irish to free Ireland, or of the Polish to free Poland, not a movement of the Algerians to free Algeria, nor of Indians to free India. It was not a movement of persons connected by historic membership to a genetic pool of the kind that enables us to speak loosely but not meaninglessly, say, of the Chinese people, nor yet of diverse groups occupying the same territory which enables us to speak of the American people with no greater indignity to truth. To the contrary, Zionists defined themselves merely as Jews, and declared to be Jewish anyone born of a Jewish mother or—and this is the absolutely crucial fact—anyone who converted to Judaism. Which is

to say, in terms of International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the 20th General Assembly, anyone—regardless of “race, colour, descent, or nationally or ethnic origin . . .”

The state of Israel, which in time was the creation of the Zionist Movement, has been extraordinary in nothing so much as the range of “racial stocks” from which it Orient and Jew from the West. Most such persons could be said to have been “born” Jewish, just as most Presbyterians and most Hindus are “born” to their faith, but there are many Jews who are just converts. With a consistency in the matter which surely attests to the importance of this issue to that religions and political culture, Israeli courts have held that a Jew who converts to another religion is no longer a Jew. In the meantime the population of Israel also includes large numbers of non-Jews, among them Arabs of both the Muslim and Christian religions and Christians of other national origins. Many of these persons are citizens of Israel, and those who are not can become citizens by legal procedures very much like those which obtain in a typical nation of Western Europe.

Now I should wish to be understood that I am here making one point, and one point only, which is that whatever else Zionism may be, it is not and cannot be “a form of racism.” In logic, the State of Israel could be, or could become, many things, theoretically, including many things undesirable, but it could not be and could not become racism unless it ceased to be Zionist.

Indeed, the idea that Jews are a “race” was invented not by Jews but by those who hated Jews. The idea of Jews as a race was invented by nineteenth century anti-semites such as Houston Stewart Chamberlain and Edouard Drumont, who saw that in an increasingly secular age, which is to say an age made for fewer distinctions between people, the old religious grounds for anti-semitism were losing force. New justifications were needed for excluding and persecuting Jews, and so the new idea of Jews as a race—rather than as a religion—was born. It was a contemptible idea at the beginning, and no civilized person would be associated with it. To think that it is an idea now endorsed by the United Nations is to reflect on what civilization has come to.

It is precisely a concern for civilization, for civilized values that are or should be precious to all mankind, that arouses us at this moment to such special passion. What we have at stake here is not merely the honor and the legitimacy of the State of Israel—although a challenge to the legitimacy of any member nation ought always to arouse the vigilance of all members of the United Nations. For a yet more important matter is at issue, which is the integrity of the whole body of moral and legal precepts which we know as human rights.

The terrible lie that has been told here today will have terrible consequences. Not only will people begin to say, indeed they have already begun to say that the United Nations is a place where lies are told, but far more serious, grave and perhaps irreparable harm will be done to the cause of human rights itself. The harm will arise first because it will strip from racism the precise and abhorrent meaning that it still precariously holds today. How will the people of the world feel about racism and the need to struggle against it, when they are told that it is an idea as broad as to include the Jewish national liberation movement?

As the lie spreads, it will do harm in a second way. Many of the members of the United Nations owe their independence in no small part to the notion of human rights, as it has spread from the domestic sphere to the international sphere exercised its influence over the old colonial powers. We are now coming into a time when that independence is likely to be threatened again. There will be new forces, some of them arising now, new prophets and new despots, who will justify their actions with the help of just such distortions of words as we have sanctioned here today. Today we have drained the word “racism” of its meaning. Tomorrow, terms like “national self-determination” and “national honor” will be perverted in the same way to serve the purposes of conquest and exploitation. And when these claims begin to be made—as they already have begun to be made—it is the small nations of the world whose integrity will suffer. And how will the small nations of the world defend themselves, on what grounds will others be moved to defend and protect them, when the language of human rights, the only language by which the small can be defended, is no longer believed and no longer has a power of its own?

There is this danger, and then a final danger that is the most serious of all. Which is that the damage we now do to the idea of human rights and the language of human rights could well be irreversible.

The idea of human rights as we know it today is not an idea which has always existed in human affairs, it is an idea which appeared at a specific time in the world, and under very special circumstances. It appeared when European philosophers of the seventeenth century began to argue that man was a being whose existence was independent from that of the State, that he need join a political community only if he did not lose by that association more than he gained. From this very specific political philosophy stemmed the idea of political rights, of claims that the individual could justly make against the state; it was because the individual was seen as so separate from the State that he could make legitimate demands upon it.

That was the philosophy from which the idea of domestic and international rights sprang. But most of the world does not hold with that philosophy now. Most of the world believes in newer modes of political thought, in philosophies that do not accept the individual as distinct from and prior to the State, in philosophies that therefore do not provide any justification for the idea of human rights and philosophies that have no words by which to explain their value. If we destroy the words that were given to us by past centuries, we will not have words to replace them, for philosophy today has no such words.

But there are those of us who have not forsaken these older words, still so new to much of the world. Not forsaken them now, not here, not anywhere, not ever.

The United States of America declares that it does not acknowledge, it will not abide by, it will never acquiesce in this infamous act.

HONORING BENJAMIN VINCI

Mr. SCHUMER. Madam President, Senator CLINTON and I rise today to recognize and honor the service of Benjamin Vinci of Port Chester, New York—a true American hero.

In 1941, at the age of 21, Benjamin Vinci left home to serve in the U.S.

Army, and by December of that year, was stationed in Hawaii with the 97th Army Coast Artillery Guard. Like so many there on the morning of December 7, 1941, Benjamin Vinci was going about his daily business. He had just completed all night guard duty and was eating breakfast when the whole base erupted in smoke and fire as Japanese war plans attacked Pearl Harbor and the surrounding area.

As bombers strafed the mess tent, a 50-caliber bullet hit Private Vinci in the back. But ignoring his wound, Benjamin Vinci reached an anti-aircraft emplacement and began to fight back. He stepped down only when he was ordered to find an ambulance and tend to his wound.

Along the way, instead of seeking cover, Benjamin Vinci ran down to the beach and rescued a man who had been shot through the legs. Helping the other soldier into a motorboat, he navigated through a hail of bombs and ammunition to the other side of the bay where he finally boarded an ambulance. But on the way to the hospital at Hickham field, planes targeted the ambulance and Benjamin Vinci was wounded again—this time a 50-caliber bullet coming to rest near his heart.

Mrs. CLINTON. In the aftermath of the attack, doctors believed Private Vinci's wounds were fatal, but he persevered. He received the Purple Heart and eventually was transferred to a hospital in Colorado, where doctors were able to remove one of the two bullets that had almost taken his life, but not both. He continues to carry with him the second bullet, which has never been able to be removed.

Disabled from his wounds, Benjamin Vinci returned to Port Chester after being discharged from the Army and resumed life as a civilian. For many years, Mr. Vinci worked as a vacuum cleaner salesman in Westchester County. He married Rose Civitella in 1945, and together they raised four children: Peter, Burnadette, JoAnn, and Joseph.

We honor and thank Benjamin Vinci for his tremendous sacrifice, vital contribution, and gallant service to our Nation. His acts of bravery are an exceptional example of the fortitude, determination, and strength of the American spirit. As Mr. Vinci carries the burden of his wounds and the bullet he received on that December morning of infamy, so too must we carry the memory of his heroic deeds, remembering and honoring all the men and women of that great generation—those veterans of World War II who saved our Nation, and the world.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Madam President, at the close of business yesterday, Thursday, July 26, 2001, the Federal debt stood at \$5,736,556,518,776.52, five trillion, seven hundred thirty-six billion,

five hundred fifty-six million, five hundred eighteen thousand, seven hundred seventy-six dollars and fifty-two cents.

One year ago, July 26, 2000, the Federal debt stood at \$5,669,530,000,000, five trillion, six hundred sixty-nine billion, five hundred thirty million.

Five years ago, July 26, 1996, the Federal debt stood at \$5,181,675,000,000, five trillion, one hundred eighty-one billion, six hundred seventy-five million.

Ten years ago, July 26, 1991, the Federal debt stood at \$3,558,449,000,000, three trillion, five hundred fifty-eight billion, four hundred forty-nine million.

Twenty-five years ago, July 26, 1976, the Federal debt stood at \$619,492,000,000, six hundred nineteen billion, four hundred ninety-two million, which reflects a debt increase of more than \$5 trillion, \$5,117,064,518,776.52, five trillion, one hundred seventeen billion, sixty-four million, five hundred eighteen thousand, seven hundred seventy-six dollars and fifty-two cents during the past 25 years.

ADDITIONAL STATEMENTS

CANAL STREET STREETCAR GROUNDBREAKING

• Ms. LANDRIEU. Mr. President, I wish to congratulate New Orleans on the groundbreaking of the extension of the historic Canal Street Streetcar, which will eventually connect mid-city to downtown.

This groundbreaking is truly cause for celebration. It is a product of vision and hard work. The streetcar project enriches the city by combining New Orleans tradition with 21st century innovation. The new, state-of-the-art streetcars will be child safe, air-conditioned and in full compliance with disability laws. Not only is the streetcar project important to businesses and residents of the city, but it is also important for the expansion of tourism. By providing free, safe, public transportation, the Canal Street Streetcar will alleviate traffic on Canal Street. And it will connect all who take advantage of its use to several points of pride in the city such as the New Orleans Museum of Art.

Mayor Morial and the city council, Chairman Tucker, and several members of Louisiana's congressional delegation and I have worked hard for many years to secure funding to make this project a reality. Most recently, we helped secure \$23 million for the streetcar in a transportation measure. I congratulate the local leadership for helping to make this possible. All who support this project in Congress will continue to do our part so that one day in the not-too-distant future, the streetcar will be up and running. In fact, in Washington, I will honor this

dedication with an entry in the Congressional Record. The Canal Street Streetcar is a symbol of our state's rich heritage and New Orleans's eclectic character. I am proud to be a part of its restoration.●

TRIBUTE TO KEN KASPRISIN

• Mr. CONRAD. Mr. President, today I publicly thank Colonel Ken Kasprisin, who will leave his post as District Engineer and Commander of the St. Paul District of the U.S. Army Corps of Engineers today, July 27. Colonel Kasprisin is one of the finest individuals I have worked with as a U.S. Senator representing North Dakota, and we will miss him after he leaves the Corps.

North Dakota and the Nation owe Colonel Kasprisin a deep debt of gratitude. He has served as Commander of the St. Paul District since July, 1998, and he has served admirably. During that period, he has helped lead our communities through several flood disasters including the chronic flood at Devils Lake, ND. Throughout it all, he has always gone above and beyond the call of duty.

Colonel Kasprisin is among the most capable leaders I have ever had the pleasure of working with. He is a true professional, and has a unique ability to walk into a difficult condition, assess the situation, and calmly, but decisively, take action. He listens carefully to people and has a leadership style that invites creative solutions to complex problems.

Colonel Kasprisin is also a man of tremendous integrity. He cares deeply about the people of this nation, and his commitment to doing the right thing is unmatched. He has often been willing to fight for the needs of common citizens, even if it meant leading an uphill fight and challenging others within the Corps.

I know that the Colonel leaves the St. Paul Corps a better organization due to his leadership. The Colonel set high standards for his team, and they delivered time and time again. Under the Colonel's leadership, we have begun the flood protection project for Grand Forks, successfully fought several spring floods throughout the Red River Valley, and have continued to provide protection to residents of Devils Lake from the rising lake water. I will not forget the incredible contributions Colonel Kasprisin has made to the people of my State and the country.

But Colonel Kasprisin's departure from the Corps does not mean he is departing from public life. FEMA Director Allbaugh has tapped him to be the new FEMA Regional Director for the Pacific Northwest Region headquartered in Seattle. The Colonel's leadership will be a valuable addition to the FEMA team, and I believe Director Allbaugh made a great choice for

that important position. Colonel Kasprisin will continue to make a difference in people's lives in that position and I am pleased that he has agreed to continue his public service.

I want to again express my deep appreciation and respect for Colonel Kasprisin for his service to my state and to our nation. We in North Dakota will miss you, Colonel, but wish you all the best in your new career.●

RETIREMENT OF MR. PAUL JOHNSON

● Mr. LEVIN. Mr. President, I rise today to pay tribute to a dedicated and distinguished public servant. Paul W. Johnson, the Deputy Assistant Secretary of the Army for Installations and Housing, is retiring at the end of this month after over 50 years of government service.

Paul Johnson began his career with the Federal Government serving on active duty with the Corps of Engineers beginning in 1949, and served as an engineer with the Army and the Air Force until he arrived at the Pentagon in 1962.

During his nearly forty years there, Paul Johnson became an institution in the Army and in the Pentagon. Since 1983, Paul has been the senior career official in the Army responsible for military construction, family housing, base realignment and closure, real property management and disposal, and real property maintenance issues for the active duty Army; the Army National Guard; and the Army Reserve. In this capacity, Paul is responsible for the management of over \$200 billion in assets.

For decades, whenever there has been an Army installation or property issue where the Congress needed information or help, we called "PJ", because we knew we could rely on his leadership and sound judgment. And PJ did not hesitate to reciprocate and let us know when the Army needed help from the Congress to solve a problem. When you were talking to PJ, there was never any doubt that he was working to do what was best for the Army.

We will miss him, and the Army will miss him even more. I am sure all members of the Senate who have worked with Paul over the years, especially my colleagues on the Armed Services and Appropriations Committees, will join me in congratulating him on his astonishing record of over half a century of public service and wish him and his family all the best as he begins a well-deserved retirement.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3095. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of President of the Government National Mortgage Association, received on July 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-3096. A communication from the Deputy Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-3097. A communication from the Chief of the Programs and Legislation Division, Office of the Legislative Liaison, Department of the Air Force, transmitting, the Air Force Structure Announcement for Fiscal Year 2002; to the Committee on Armed Services.

EC-3098. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Protection and Assistance for Victims of Trafficking" (RIN1115-AG20) received on July 25, 2001; to the Committee on the Judiciary.

EC-3099. A communication from the Director of the Office of Regulations Management, Veterans' Benefits Administration, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "End of the Service Members Occupational Conversion and Training Program" (RIN2900-AK45) received on July 26, 2001; to the Committee on Veterans' Affairs.

EC-3100. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Navajo Abandoned Mine Land Reclamation Plan" (NA-004-FOR) received on July 26, 2001; to the Committee on Energy and Natural Resources.

EC-3101. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Diazinon, Parathion, O, O-Diethyl S-[2-(ethylthio)ethyl] Phosphorodithioate (Disulfoton), Ethoprop, and Carbaryl; Tolerance Revocations" (FRL6787-8) received on July 24, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3102. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Lysophosphatidylethanolamine (LPE); Temporary Exemption From the Requirement of a Tolerance" (FRL6788-6) received on July 24, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3103. A communication from the President of the Federal Financing Bank, transmitting, pursuant to law, the Management Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC-3104. A communication from the Acting Director of the Retirement and Insurance Service, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Law Enforcement and Firefighter Retirement" (RIN3206-AJ39) received on July 26, 2001; to the Committee on Governmental Affairs.

EC-3105. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, the report under the Government in the Sunshine Act for calendar year 2000; to the Committee on Governmental Affairs.

EC-3106. A communication from the Assistant Secretary of Legislative Affairs, Depart-

ment of the Treasury, transmitting, pursuant to law, a report on the progress made in providing International Development Association grant assistance to Heavily Indebted Poor Countries; to the Committee on Foreign Relations.

EC-3107. A communication from the Chief Counsel of the Foreign Claims Settlement Commission, Department of Justice, transmitting, pursuant to law, the Annual Report for 2000; to the Committee on Foreign Relations.

EC-3108. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-3109. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed defense articles or services sold commercially under a contract in the amount of \$50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-3110. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Estate Tax Return; Form 706, Extension to File" (RIN1545-AX98) received on July 24, 2001; to the Committee on Finance.

EC-3111. A communication from the Regulations Coordinator of the Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Update to the Prospective Payment System for Home Health Agencies for Fiscal Year 2002" (RIN0938-AK51) received on July 26, 2001; to the Committee on Finance.

EC-3112. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Basis Shifting Tax Shelter" (Notice 2001-45, 2001-33) received on July 26, 2001; to the Committee on Finance.

EC-3113. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Prevailing Commissioners' Standard Tables of Mortality and Morbidity" (Rev. Rul. 2001-38) received on July 26, 2001; to the Committee on Finance.

EC-3114. A communication from the Assistant Secretary of the Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Harmonization of Definitions of Terms in the Export Administration Regulations" (RIN0694-AC03) received on July 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-3115. A communication from the Acting Under Secretary for Domestic Finance, Department of the Treasury, transmitting, pursuant to law, the annual report on the Resolution Funding Corporation for the calendar year 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-3116. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Attainment for PM-10; Lakeview, Oregon, PM-10 Nonattainment" (FRL7018-5) received on July 24, 2001; to the Committee on Environment and Public Works.

EC-3117. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Attainment for PM-10; Oakridge, Oregon" (FRL7018-6) received on July 24, 2001; to the Committee on Environment and Public Works.

EC-3118. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Preliminary Assessment Information Reporting; Addition of Certain Chemicals" (FRL6783-6) received on July 24, 2001; to the Committee on Environment and Public Works.

EC-3119. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Type of Contracts" (FRL7020-5) received on July 25, 2001; to the Committee on Environment and Public Works.

EC-3120. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Pharmaceuticals Production" (FRL7020-3) received on July 25, 2001; to the Committee on Environment and Public Works.

EC-3121. A communication from the Director of the Office of Congressional Affairs, Office of State and Tribal Programs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Handbook on Nuclear Material Event Reporting in the Agreement States" received on July 25, 2001; to the Committee on Environment and Public Works.

EC-3122. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting the monthly report on the status of licensing and regulatory duties; to the Committee on Environment and Public Works.

EC-3123. A communication from the Chief of the Division of Endangered Species, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Sea Turtle Conservation; Restrictions to Fishing Activities" (RIN0648-AP20) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3124. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Pacific Coast Groundfish Fishery; Trip Limit Adjustments" received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3125. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Amendment 13" (RIN0648-AO41) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3126. A communication from the Acting Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific;

West Coast Salmon Fisheries; Amendment 14" (RIN0648-AL51) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3127. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Large Coastal, Pelagic, and Small Coastal Shark Species; Fishing Season Notification" (ID061101A) received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3128. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes Pacific Ocean Perch Fishery in the Central Regulatory Area, Gulf of Alaska" received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3129. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker and Rougheye Rockfish in the Central Regulatory Area of the Gulf of Alaska" received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3130. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes Northern Rockfish Fishery in the Western Regulatory Area, Gulf of Alaska" received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3131. A communication from the Acting Director of the Office of the Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands" received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3132. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Black Sea Bass Fishery; Commercial Quota Harvested for Quarter 3 Period" received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3133. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish by Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska" received on July 26, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3134. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law,

the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Extension of the Emergency Interim Rule That Implements 2001 Steller Sea Lion Protection Measures and the 2001 Harvest Specifications (implements Steller sea lion protection measures for the remainder of 2001)"; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicates:

POM-157. A concurrent resolution adopted by the House of the Legislature of the State of Louisiana relative to the federal Weatherization Assistance Program for Low-Income Persons and the Low-Income House Energy Assistance program; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION NO. 140

Whereas, the areas served by electric and gas utilities in Louisiana and throughout the South have poverty levels that are higher than the national average, with many customers being unable to afford utility service without sacrificing other necessities such as medicine and food; and

Whereas, disconnection of electric and gas service presents health and safety risks, particularly for the elderly, disabled, and small children residing in the substandard, poorly insulated, energy-inefficient housing that is prevalent in this region; and

Whereas, the federally funded WAP and LIHEAP are the nation's largest, most comprehensive effective residential energy efficiency and bill payment assistance programs, serving as a vital safety net during periods of escalating and volatile energy prices; and

Whereas, the state agencies and community-based organizations that administer WAP and LIHEAP and distribute the funds on behalf of those eligible and in need have demonstrated their capability to accomplish both energy efficiency services and bill payment assistance when these programs are adequately funded and assured of continued existence for a reasonable number of years; and

Whereas, the Fiscal Year 2002 Bush Administration proposed budget call for continuing LIHEAP funding at the same, inadequate levels as was provided during the past year, \$1.4 billion nationally, an amount that was recently recognized as vastly insufficient by the United States Senate; and

Whereas, it is a matter of utmost importance and urgency to persuade both houses of the Congress of the United States to take swift and bold action to increase and release to the states the funding for WAP and LIHEAP; Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to act at once to provide for advanced and increased funding of the Weatherization Assistance program for Low-Income Persons and the Low-Income Home Energy Assistance Program, so as to enable the programs to engage in planning their work more efficiently and engaging and retaining qualified employees. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-158. A concurrent resolution adopted by the House of the Legislature of the State of Louisiana relative to the sale of crawfish and catfish imported from Asia and Spain; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 143

Whereas, Louisiana's crawfish and catfish industries are vital to the well-being of this state and its citizens; and

Whereas, these industries are facing a serious economic crisis due to the availability of inexpensive crawfish and catfish imported from Asia and Spain; and

Whereas, crawfish from China began appearing in the United States market in the early 1990s; however, they had no significant impact at the time because the amount of available Chinese crawfish was not enough to seriously affect the supply and demand associated with Louisiana's crawfish industry; and

Whereas, in 1993 and 1994 there was a substantial increase in the amount of Chinese crawfish, which harmed Louisiana industry, and crawfish are produced in China at a lower cost than is possible in Louisiana which allows their sale at prices with which Louisiana producers cannot compete; and

Whereas, Louisiana is also experiencing a similar problem with crawfish arriving from Spain being offered for sale at a low price; and

Whereas, since Louisiana crawfish farmers cannot compete with those in China and Spain, the crawfish plants are in danger of closing, which is devastating to Louisiana because it is difficult to re-open the plants because the crawfish peelers have sought other employment, and it is virtually impossible to replace that labor component of the Louisiana crawfish industry; and

Whereas, in response to the problem, the Federal Trade Commission recently imposed a duty on Chinese crawfish, which has allowed Louisiana fishermen and suppliers to compete with Chinese fishermen and suppliers; and

Whereas, nevertheless, crawfish suppliers are presently circumventing the duty and are still providing crawfish at a much lower price, so the threat to the Louisiana industry continues; and

Whereas, the Catfish industry in Louisiana is experiencing similar problems caused by imported Catfish from Vietnam and Spain; and

Whereas, between 1993 and 1999, the amount of Catfish exported from Vietnam increased from sixteen thousand five hundred tons to twenty-four thousand tons, and capital investments in Catfish production in the Mekong Delta have continued to grow dramatically; Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to assist the Federal Trade Commission in preventing the sale of crawfish and catfish imported from Asia and Spain at prices with which Louisiana producers cannot compete. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-159. A concurrent resolution adopted by the House of the Legislature of the State of Louisiana relative to the federal-aid highway program; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 152

Whereas, legislation is pending introduction in congress to allow states to opt out of the federal-aid highway program; and

Whereas, those states opting out would be required to replace the federal gasoline tax with a state gasoline tax; and

Whereas, five states have laws in effect which would automatically increase the state gasoline tax should the federal gasoline tax be reduced; and

Whereas, if Louisiana were authorized to levy the gasoline tax, it could control more of the revenues and would be less subject to certain efforts by the federal government to control state policy; Therefore, be it

Resolved, That the Louisiana Legislature does hereby memorialize the United States Congress to adopt legislation authorizing states to opt out of the federal-aid highway program. Be it further,

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-160. A concurrent resolution adopted by the House of the Legislature of the State of Louisiana relative to Section 527 of the Internal Revenue Code; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 188

Whereas, Congress passed the Full and Fair Political Disclosure Act and the President signed it into law (Public Law 106-230) to require public disclosure of political activities of organizations that usually do not disclose their expenditures or contributions; and

Whereas, Rep. David Vitter has introduced H.R. 527 (also known as the Vitter Bill) to correct and clarify P.L. 106-230 by reducing duplicative and burdensome federal reporting and disclosure requirements placed on state and local political candidates, their campaign committees, and state political parties; and

Whereas, H.R. 527 relieves individuals and groups from filing pursuant to Section 527 of the Internal Revenue Code if their sole intention is to influence the election of state and local public officers or officers in a state or local political organization and if the state and local contribution and expenditure reporting requirements relating to selections, nominations, elections, and appointments to such offices provide that the reports are publicly available; and

Whereas, H.R. 527 would not exempt any political committee from the requirements if it spent even one dollar on a federal election, including congressional races, or failed to abide by state and local contribution and expenditure reporting requirements; and

Whereas, H.R. 527 exempts state and local political committees because the law is geared toward the federal election cycle which usually does not conform to state and local reporting requirements; and

Whereas, H.R. 527 establishes an exemption for state and local political committees similar to the exemption for federal political organizations that report to the Federal Elections Commission; and

Whereas, H.R. 527 intends to leave intact the intent of P.L. 160-230 as a response to stealth political action committees that were able to raise and spend unlimited amounts of money for political advocacy without having to disclose the sources and amounts of donations, all while enjoying tax-exempt status; Therefore, be it

Resolved, That the Louisiana Legislature does hereby memorialize the United States

Congress to support House Resolution 527 making changes to Section 527 of the Internal Revenue Code to exempt certain state and local political committees which are required to report contributions and expenditures pursuant to local or state law. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-161. A concurrent resolution adopted by the House of the State of Louisiana relative to the Bayou Lafourche restoration and diversion project from the Mississippi River; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION NO. 198

Whereas, until 1904, Bayou Lafourche carried about fifteen percent of the flow of the Mississippi River and provided vital nourishment for thousands of acres of coastal swamps and marshes throughout the Barataria and Terrebonne Basins; and

Whereas, after the bayou was sealed off from the Mississippi River in 1904 to prevent flooding, these marshes began to deteriorate and salt water began to encroach inland; and

Whereas, diverting river water into our coastal basins is the best tool we have to create a sustainable coast; and

Whereas, Bayou Lafourche provides the sole source of drinking water for about two hundred thousand citizens of Louisiana; and

Whereas, during the drought year of 2000, Bayou Lafourche became contaminated by salt water as far north as the Lockport water treatment plant, making the water hazardous to drink; and

Whereas, since 1996, the Breaux Act program has been investigating the feasibility of a project that would restore Bayou Lafourche by removing sediment that currently clogs the channel and by introducing about one thousand cubic feet per second of river water into Bayou Lafourche at Donaldsonville on a continuous basis, without flood risk to local residents; and

Whereas, the project has been proposed as a means of nourishing eight-six thousand acres of coastal marshes by reintroducing river water into a vast area that has been cut off from the river by levees; and

Whereas, the final design of the project should accommodate the reasonable concerns of landowners regarding erosion and property damage; and

Whereas, this one thousand cubic feet per second diversion project would also prevent the future saltwater contamination of municipal and industrial freshwater intakes; and

Whereas, this project would provide critical benefits to a large area of coastal marshes, it would restore the current sluggish, choked bayou to a flowing, healthy ecosystem, and it would provide a continuous supply of high quality fresh water for municipal and industrial needs into the future; Therefore, be it

Resolved, That the Louisiana Legislature does hereby memorialize the United States Congress to support, with funding, the expeditious implementation of the proposed Bayou Lafourche restoration and diversion project from the Mississippi River. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-162. A concurrent resolution adopted by the House of Legislature of the State of Louisiana relative to the pending charter boat moratorium in the Gulf of Mexico; to the Committee on Commerce, Science, and Transportation.

HOUSE RESOLUTION No. 114

Whereas, the charter fishing industry in Louisiana is in its infancy but has begun a period of healthy growth which can only be beneficial to the state's overall economic development and the capture of tourist dollars; and

Whereas, the Gulf States Fishery Management Council voted this spring to send to the National Marine Fisheries Service a recommendation for a three-year moratorium on the issuance of new charter vessel permits for reef and coastal migratory pelagic fishing; and

Whereas, the genesis of the recommended moratorium was concerned about the area of the Gulf of Mexico near Florida where the charter industry is much more mature, much more widespread, and has created a situation where there are too many boats with too many fishermen competing for too few fish; and

Whereas, the charter industry in Louisiana exists in a significantly different environment, one where there is not an overabundance of permitted charter boat captains and where there is an abundance of habitat and fish which should result in a productive charter industry; and

Whereas, a productive and expanding charter industry would be of great benefit to the economic health of the state, a benefit that would be denied the state of Louisiana if the moratorium were adopted and new charter captains would not be eligible for permitting: Therefore, be it,

Resolved, That the Louisiana House of Representatives does hereby memorialize the Louisiana congressional delegation and the United States Congress to express its desire to the National Marine Fisheries Service that the pending charter boat moratorium in the Gulf of Mexico not be implemented. Be it further,

Resolved, That if a moratorium is considered by the National Marine Fisheries Service, that the moratorium be limited to the eastern Gulf of Mexico with an authorization for continued expansion of the industry in the western Gulf of Mexico where there are no issues of overcrowding. Be it further,

Resolved, That a copy of this Resolution be forwarded to each member of the Louisiana congressional delegation and to the presiding officers of the United States House of Representatives and the United States Senate.

POM-163. A resolution adopted by the House of the Legislature of the State of Louisiana relative to international child slavery; to the Committee on Foreign Relations.

HOUSE RESOLUTION No. 128

Whereas, it is with great moral indignation and deepest concern that the Legislature of Louisiana learns of the continued use internationally of such an unspeakable practice as child slavery; and

Whereas, despite current efforts to end the practice of trafficking in child slaves, the trade remains a serious problem, particularly in West and Central Africa where this most disturbing practice has been on the rise; and

Whereas, currently thousands of children as young as six years of age are trafficked across borders into slavery to work long hours in harsh conditions as domestic serv-

ants, as farm and plantation laborers, and as sellers in markets; and

Whereas, while parents living in some of the poorest countries on the planet are on occasion willing to sell their children for as little as fourteen dollars, often in the belief that their children will receive education and prosperous employment, the vast majority of these children become slaves usually laboring on coffee and cocoa plantations; and

Whereas, during long-distance transportation over land and sea, these children face arduous and sometimes fatal journeys riddled with hardships such as ships that lack sufficient supplies of food and fresh drinking water; and

Whereas, through a 1998-1999 research and interview project funded by the United Kingdom National Lottery Charities Board, Enfants Solidaires d'Afrique et du Monde, a nongovernmental organization in Benin, found that child slaves transported across the border between Benin and Gabon were subjected to fourteen- to eighteen-hour work days, heavy work, and oftentimes sexual abuse including rape and forced prostitution; and

Whereas, interviews by American media reporters in Sudan have revealed a similar pattern of torments, including forced marches, sexual abuse and mutilation, and violent beatings among slaves; and

Whereas, many destination countries of child slave trafficking have failed to take the necessary steps to end the exploitation of children in slavery or other abusive labor; and

Whereas, diplomatic collaboration between nongovernmental organizations and all national governments is important for developing long-term strategies for eliminating trafficking of child slaves and rehabilitating children who have suffered from this practice; and

Whereas, national governments, and particularly the United States government, should ratify and encourage implementation of key measures protecting children, such as the United Nations Convention on the Rights of the Child, to ensure that children are protected against slavery, should work to ensure that the United Nations International Convention Against Transnational Organized Crime includes a protocol to prevent, suppress, and punish the practice of trafficking in slaves, and should urge the United Nations to adopt a specific year as the International Year Against Trafficking in Human Beings to focus attention on the issue; and

Whereas, governments may curb the practice of child slavery internationally via economic tactics, such as embargoes on products and countries that use child slavery and urging action on the part of industries to purchase directly from plantations where they can ensure that growers implement core international labor standards, particularly those banning forced labor and illegal child labor, and by collaborating with other countries to ensure that international labor standards regarding slavery are enforced throughout such countries; and

Whereas, having repealed the terrible and horrific practice of slavery within our own borders with the Emancipation Proclamation and the thirteenth amendment to our constitution, the United States unequivocally opposes slavery in all forms and universally endorses the freedom and dignity of every human being; and

Whereas, in the true and compassionate knowledge that every child deserves the opportunity to live the life of a child without subjection to the burdens of injustice, child

slavery can only be deemed insufferable and repugnant: Therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana does hereby urge and request the United States Congress and the President of the United States to institute and enforce legislation and diplomatic action toward the eradication of child slavery internationally. Be it further

Resolved, That copies of this Resolution be transmitted to the presiding officers of both houses of the United States Congress, to the members of the Louisiana delegation to the United States Congress, and to President George W. Bush.

POM-164. A resolution adopted by the House of the Legislature of the State of Louisiana relative to the OCS oil and gas lease sales in the Gulf of Mexico; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION No. 149

Whereas, it has been almost four years since the environmental impact statement was prepared for the Oil and Gas Lease Sales 169, 172, 175, 178, and 182 in the Gulf of Mexico; and

Whereas, as a result of public testimony in response to that EIS, there was recognition of the significant impact which will be felt relative to the infrastructure in offshore activity focal points such as Port Fourchon and LA Highway 1 through Lafourche Parish; and

Whereas, at the present time, forty of the forty-five deep water rigs working in the Gulf of Mexico are being serviced through Port Fourchon as are many of the rigs located on the OCS, with the accompanying increase in land traffic and inland waterway traffic, all primarily through Lafourche Parish; and

Whereas, efforts have so far failed to develop plans to mitigate these present and well-documented impacts while efforts to increase the number of leases in the gulf continue with no apparent effort to provide mitigation for current or increased impacts: Therefore, be it

Resolved, That the House of Representatives of the Louisiana Legislature does hereby memorialize the U.S. Congress to direct the Mineral Management Service to develop a plan for impact mitigation relative to the OCS oil and gas lease sales in the Gulf of Mexico. Be it further

Resolved, That a copy of this Resolution be forwarded to the presiding officer of each house of the U.S. Congress, to each member of the Louisiana congressional delegation, and to the director of the Minerals Management Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 127: A bill to give American companies, American workers, and American ports the opportunity to compete in the United States cruise market (Rept. No. 107-47).

H.R. 1098: A bill to improve the recording and discharging of maritime liens and expand the American Merchant Marine Memorial Wall of Honor, and for other purposes (Rept. No. 107-48).

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S.J. Res. 16: A joint resolution approving the extension of nondiscriminatory treatment to the products of the Socialist Republic of Vietnam. (Rept. No. 107-49).

EXECUTIVE REPORTS OF
COMMITTEES

The following executive reports of committees were submitted:

By Mr. BIDEN for the Committee on Foreign Relations.

*Sue McCort Cobb, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica. Nominee: Sue McCort Cobb. Post: Ambassador to Jamaica.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, date and no., name, and amount:

1. Self:

Federal—Political

5/14/1996, 168—Senator Bob Dole for President (Compliance Fund)	\$1,000.00
10/31/1996—Friends of Bob Graham	1,000.00
02/03/1997, 223—Friends of Connie Mack	500.00
03/26/1997, CEC—Campaign for New American Century	1,250.00
09/23/1997, 230—Friends of Bob Graham	500.00
11/24/1997, 231—Friends of Bob Graham	500.00
03/04/1998, 234—Friends of Connie Mack	500.00
03/11/1999, CEC4012—Gov. George W. Bush Expl. Comm	1,000.00
04/12/1999, 4570—Friends of Connie Mack (Contribution refund)	-1,000.00
03/22/2000, 522—Tom Gallagher Campaign (Contribution)	1,000.00
04/25/2000, 523—Presidential Trust (Contribution)	10,000.00
04/28/2000, AMEX—Republican National State Elections Committee	40,000.00
06/27/2000, 4030—Tom Gallagher Campaign (Contribution refund)	-500.00
07/17/2000, Allocation—Republican National State Elections Committee	-875.00
07/17/2000, Allocation—Republican National State Elections Committee	875.00
08/10/2000, 530—McCollum for US Senate (Contribution)	500.00
09/08/2000, 532—McCollum for US Senate (Contribution)	1,000.00
12/26/2000—Bush-Cheney 2000 Presidential Transition Foundation	5,000.00

Total Political (Contribution) ..

2. Spouse, Charles E. Cobb, Jr.:

FEDERAL—5081001—IN KIND CONTRIBUTIONS

08/24/2000, 0972—Mac Parking, Inc. (Valet Parking Service 8/24—Bush Event)	\$1,100.00
08/28/2000, 4832—Bill's Catering (Catering Services Bush Event)	31,406.00

Total 5081001 in Kind Contributions

FEDERAL—5081001—POLITICAL CONTRIBUTION—CASH PAID

04/02/1996—Republican Ntl Committee (1996 Team 100)	55,000.00
05/03/1996—Republican Party of Kentucky	500.00
05/03/1996—Sutton for Congress	500.00
05/06/1996—Helms Campaign Committee	1,000.00
05/14/1996—Senator Bob Dole for (Compliance Fund)	1,000.00

06/14/1996—Weld for Senate	1,000.00	12/30/1999—Republican Party of Kentucky	325.00
07/01/1996—Republican National State Elections Committee	3,100.00	12/30/1999—Republican Party of Virginia	534.00
08/05/1996—David Funderburk (8/5 reception)	250.00	12/30/1999—Washington State Republican Party	456.00
08/06/1996—People for Lightfoot, Inc. (reception 8/8/96)	500.00	12/30/1999—Republican Party of Iowa	286.00
08/27/1996—Jack Kemp for	1,000.00	12/30/1999—Massachusetts Republican Party State Congressional Committee	495.00
09/19/1996—Ilena Ros-Lehtinen (Buffet 9/20/96)	200.00	03/30/2000, 4628—Tom Gallagher for US Senate (Campaign Contribution)	1,000.00
09/30/1996—Bill McCollum for Congress	1,000.00	04/25/2000, 4660—Presidential Trust (Contribution)	10,000.00
10/10/1996—Republican Party (Senator McConnell) (Item not reflected in FEC Receipts and Expenditures)	500.00	04/28/2000, CPL Amex—Republican National State Elections Committee	40,000.00
11/01/1996—Republican Fund	1,000.00	06/09/2000, CPL052500—Abraham for Senate 2000	500.00
03/14/1997—Republican Fund (\$1,250 of \$2,500 SMC)	1,250.00	07/17/2000, Allocation—Republican National State Elections Committee	-875.00
03/26/1997—Campaign for a New American Century	1,250.00	07/17/2000—Republican National State Elections Committee	875.00
04/02/1997—Ilena Ros-Lehtinen (Item not reflected in FEC Receipts and Expenditures)	400.00	07/27/2000, 4776—McCollum for US Senate (Contribution)	2,000.00
06/11/1997—Clay Shaw, Campaign Fund (Contribution)	500.00	08/24/2000, 4831—Friends of Dick Lugar (Contribution)	500.00
11/20/1997—Friends of Don Nickles of Senate	500.00	09/12/2000, 4854—Tom Gallagher for US Senate (Campaign Contribution)	500.00
01/05/1998—Bush-Quayle '92 (92 Compliance debt)	1,000.00	11/08/2000, 4942—Bush-Cheney Re-count Fund (Contribution) (Item not reflected in FEC Receipts and Expenditures)	5,000.00
12/29/1997—Bill McCollum for Congress	1,000.00	12/26/2000—Bush-Cheney 2000 Presidential Transition Foundation	5,000.00
04/14/1998, 3474—Republican National State Elections Committee (98 Team 100 Contribution)	10,000.00	Total 508100—Political Contribution—Cash paid	191,200.00
05/19/1998, 20071—Campaign for a New American Century (1998 Contribution)	2,000.00	Total 508100—Political Contribution—In kind and cash paid	223,706.00
05/19/1998, Re-election—Friends of Mark Foley (Re-Election Campaign)	1,000.00	COBB PARTNERS, LIMITED	
09/16/1998, 3716—Campbell for Senate Victory Fund (Campaign Contribution)	250.00	FEDERAL	
10/13/1998, Donation—SNOWPAC (Snowpac Contribution)	500.00	3/14/97—Republican Ntl. Committee (Team 100)	15,000.00
01/29/1999, 02699—Friends of Mark Foley (Re-Election Campaign)	500.00	04/14/1998 4901—Republican National State Election Commit (98 Team 100 Contribution)	15,000.00
02/25/1999, 3999—Senator Bill Frist Re-Election Campaign (Donation to re-election campaign)	500.00	04/16/1999 5440—Republican National State Election Commit (99 Team 100 Contribution)	15,000.00
03/11/1999, 4012—Gov. G.W. Bush President Expl. Comm. (\$1,000 of \$2,000 SMC)	1,000.00	01/08/2001 6334—Presidential Inaugural Committee (Presidential Inaugural)	20,000.00
03/18/1999, Donation—Hagel for Nebraska (Re-election campaign)	500.00	Total 7126000—Political Contributions	65,000.00
04/16/1999, 4079—Republican National State Elections Comm. (99 Team 100 Contribution)	10,000.00	COBB PARTNERS, INC.	
05/21/1999, Re-election—Gordon Smith for U.S. Senate (Re-election campaign)	1,000.00	FEDERAL	
09/07/1999, 1999—Florida Victory Committee (1999 Contribution)	5,000.00	5/16/1996—Republican National (Team 100—1996)	25,000.00
12/20/1999, 4470—1999 State Victory Fund Committee	12,000.00	3. Children and Spouses: Christian McCort Cobb, none; Kolleen Pasternack Cobb, none; Tobin Templeton Cobb, none; and Luisa Salazar Cobb, none.	
12/30/1999, Alloc % of contribution JT FR	-8,960.00	4. Parents (deceased).	
12/30/1999—New Jersey Republican State Committee	612.00	5. Grandparents (deceased).	
12/30/1999—Republican Federal Committee of Pennsylvania	951.00	6. Brothers and Spouses: Peter Edmond McCourt, \$1,400; Suzanne M. McCourt, none.	
12/30/1999—California State Republican Party	2,201.00	7. Sisters and Spouses: John D. Veatch, none; and Patricia Cobb Veatch, none.	
12/30/1999—Illinois Republican Party	899.00	*Mercer Reynolds, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Switzerland, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Principality of Liechtenstein.	
12/30/1999—New York Republican Federal Campaign Comm.	1,342.00		
12/30/1999—Ohio State Republican Party	859.00		

Nominee: Mercer Reynolds.

Post: Ambassador to Switzerland.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions; date, donee, and amount:

1. Self:

8/99—Bush Exploratory Committee	1,000.00
12/22/99—1999 State Victory Fund	25,000.00
7/11/00—RNC Pres Trust	15,000.00
7/11/00—RNSEC Vic 2000	155,000.00
11/13/00—Bush-Cheney Recount Fund	5,000.00
5/30/97—Campaign America	250.00
12/1/00—Bush/Cheney Presidential Transition	10,000.00
1/6/98—Chabot for Congress	500.00
6/1/98	250.00
8/28/98	500.00
10/14/98	250.00
9/27/99	1,000.00
6/29/00	1,000.00
6/30/99—DeWine for U.S. Senate ..	1,500.00
2/23/00—Friends of Giuliani	500.00
7/26/00—Lazio 2000	500.00
8/30/99—McConnell for Senate	500.00
2/10/00—Portman for Congress	750.00
5/24/00	250.00
12/9/97	750.00
1/13/97—Republican Finance Committee	2,000.00
6/14/00—Voinovich for Senate	1,000.00
3/14/97	1,000.00

2. Spouse:

5/15/99—Bush	1,000.00
12/22/99—1999 State Victory Fund ..	25,000.00
2/10/00—Portman for Congress	750.00
5/24/00	250.00
12/9/97	750.00
7/12/00—RNC Pres Trust	20,000.00
6/14/00—Voinovich for Senate	1,000.00
7/14/97	1,000.00

3. Children and Spouses:

KATHRINE R. McMILLAN

4/13/99—Bush Exploratory Committee	1,000.00
12/20/99—1999 State Victory Fund ..	10,000.00
6/28/00—Georgia Victory 2000	10,000.00
6/28/00—RNC Pres. Trust	5,000.00

R. ANDREW McMILLAN (None)

JAMES MERCER REYNOLDS

4/13/99—Bush Exploratory Committee	1,000.00
12/20/99—1999 State Victory Fund ..	10,000.00
6/28/00—RNC Pres. Trust	15,000.00

TIMOTHY LINCOLN REYNOLDS

4/13/99—Bush Exploratory Committee	1,000.00
12/20/99—1999 State Victory Fund ..	10,000.00
6/28/00—RNC Pres. Trust	15,000.00

JAMES DAVISON REYNOLDS

4/13/99—Bush Exploratory Committee	1,000.00
12/20/99—1999 State Victory Fund ..	10,000.00
6/28/00—RNC Pres. Trust	15,000.00

GABRIELLE M. REYNOLDS

4/13/99—Bush Exploratory Committee	1,000.00
12/20/99—1999 State Victory Fund ..	10,000.00

4. Parents:

ANNA M. REYNOLDS

7/99—Bush Exploratory Committee	1,000.00
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5. Grandparents (deceased).

6. Brothers and Spouses:

CHARLES E. REYNOLDS

4/20/99—Bush Exploratory Committee	1,000.00
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8/22/00—Ohio Victory	5,000.00
8/22/00—RNC Pres. Trust	15,000.00

LESLIE REYNOLDS

4/20/99—Bush Exploratory Committee ..	1,000.00
7. Sisters and Spouses: Anna R. Hunter, none; and Rick Hunter, none.	

*Russell F. Freeman, of North Dakota, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belize.

Nominee: Russell F. Freeman.

Post: Ambassador to Belize.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, date, donee, and amount:

1. Self:

3/15/99—Bush Exploratory Committee ..	\$1,000
10/4/99—Dorso for Congress Campaign ..	500
11/16/99—Bush for President GELAC ..	1,000
5/24/00—Sand for Senate	250
8/7/00—RNC Presidential Trust	1,000
11/1/00—Sand for Senate	200

2. Spouse, Sarah (Susan) Freeman

3/15/99—Bush Exploratory Committee ..

3. Children and spouses: Russell G. Freeman (son)

3/15/99—Bush Exploratory Committee ..

Angie Freeman (daughter-in-law)

3/15/99—Bush Exploratory Committee ..

Sarah F. Lebens (daughter)

3/15/99—Bush Exploratory Committee ..

Michael Lebens (son-in-law)

3/15/99—Bush Exploratory Committee ..

4. Parents, Louise Freeman (deceased)

(mother):

9/30/98—Nalewaja for US Senate

3/13/99—Bush Exploratory Committee ..

5. Grandparents (deceased).

6. Brothers and spouses, Bradford M. Freeman:

6/5/97—Matt Fong for Senate

6/23/97—Friends of Dylan Glenn US Congress

1997—CA Republican Party

1997—CA Republican Party

1997—Friends of Dylan Glenn US Congress

1997—Friends of Dylan Glenn US Congress

1997—Republican Party of LA County ..

1998—Kit Bond for Senate

1998—Republican National Committee

1998—GOP House—Senate Dinner

1998—RNC Team 100

1998—Abraham Senate 2000

3/8/99—George W. Bush for President ..

1999—Republican National Committee ..

7/8/99—Jon Kyl for Senate

1999—Dorso for Congress

1999—CRP/Victory 2000

1999—CRP/Victory 2000

1999—Bush Legal & Compliance Fund ..

1999—1999 State Victory Fund Committee

1999—1999 State Victory Fund Committee

12/99—NJ Republican State Committee

12/99—NJ Republican State Committee

12/99—Republican Federal Com. of PA ..

12/99—Republican Federal Com. of PA ..

12/99—IL Republican Party

12/99—MI Republican State Party

12/99—NY Republican Fed. Campaign Com.

12/99—NY Republican Fed. Campaign Com.

12/99—NY Republican Fed. Campaign Com.

12/99—NY Republican Fed. Campaign Com.

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12/99—NY Republican Fed. Campaign Com.

12/99—NY Republican Fed. Campaign Com.

12/99—NY Republican Fed. Campaign Com.

12/99—Ohio State Republican Party ...

12/99—Ohio State Republican Party ...

12/99—Republican Party of Kentucky ...

12/99—Republican Party of Virginia, Inc.

12/99—Republican Party of Virginia, Inc.

12/99—Washington State Republican Party

12/99—Washington State Republican Party

12/99—Republican Party of Iowa

12/99—Massachusetts Republican State Congressional Committee

12/99—Massachusetts Republican State Congressional Committee

2/11/00—Friends of Dylan Glen 2000

2/25/00—RNC Victory 2000 Federal Acct.

2/25/00—CRP Victory 2000 Federal Acct.

5/11/00—RNC—CA Account

6/26/00—Abraham Senate 2000

7/12/00—Republican National State Election Com.

7/12/00—Republican National State Election Com.

2000—Bush-Cheney Recount Fund

12/6/00—Bush-Cheney Transition Fund ..

7. Sisters and spouses; none.

*Michael E. Guest, of South Carolina, A Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

Nominee: Michael E. Guest.

Post: Romania.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: not applicable.

3. Children and Spouses: not applicable.

4. Parents: Rupert E. Guest, none; and Jean L. Guest, none.

5. Grandparents (deceased).

6. Brothers and Spouses: not applicable.

7. Sisters and Spouses: Julie Parker Guest, none; and Michele Jean Guest, unknown.

*Stuart A. Bernstein, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

Nominee: Stuart Alan Bernstein.

Post: Ambassador to Denmark.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self:

3/4/97, Freedom & Free Enterprise PAC

4/16/97, Republican Leadership Council (FKA) Committee for Responsible Government

5/13/97, Republican National Committee

6/27/97, Citizen for Arlen Specter ..

7/1/97, Friends of Connie Morella for Congress Committee

9/22/97, Regula for Congress Committee

10/22/97, Citizens for Arlen Specter ..

Nancy Johnson for Congress, \$1,000, 08/98, Nancy Johnson
 Bennett '98 Committee, \$1,000, 08/98, Robert Bennett
 Friends of Senator D'Amato, \$1,000, 08/98, Al D'Amato
 Friend of Chris Dodd 1998, \$1,000, 09/98, Christopher Dodd
 Faircloth for Senate, \$1,000, 09/98, Lauch Faircloth
 Mikulski for Senate, \$1,000, 09/98, Barbara Mikulski
 Newt Gingrich Campaign, \$1,000, 09/98, Newt Gingrich
 Christopher Shays for Congress, \$1,000, 09/98, Christopher Shays
 Briston-Myers Squibb—Political Action Committee, \$5,000, 1998
 National Republican Senatorial Campaign Committee, \$25,000, 10/98
 Republican National Committee (State Election Committee), \$50,000, 10/98
 Zimmer 2000 (Congressman-Primary Election), \$1,000, 02/99, Dick Zimmer
 Torricelli for U.S. Senate, \$1,000, 02/99, Robert Torricelli
 Elizabeth Dole Exploratory Comm., \$1,000, 02/99, Elizabeth Dole
 George W. Bush Exploratory Comm., \$1,000, 03/99, George W. Bush
 Franks for Congress (Re-election campaign), \$500, 04/99, Bob Franks
 Bill Thomas Campaign Committee (Primary and General Election), \$2,000, 04/99, Bill Thomas
 Re-elect Nancy Johnson for Congress, \$500, 04/99, Nancy Johnson
 Whitman for U.S. Senate (Primary—Refund—\$650), \$1,000, 06/99, Christine Todd Whitman
 Whitman for U.S. Senate (Full refund—\$1,000), \$1,000, 06/99, Christine Todd Whitman
 Friends of George Allen, \$1,000, 06/99, George Allen
 Bill Bradley for President, \$1,000, 06/99, Bill Bradley
 Tom DeLay Congressional Comm., (Primary and General Election), \$2,000, 07/99, Tom DeLay
 Hatch for President (Exploratory Committee), \$1,000, 11/99, Orin Hatch
 Friends of Giuliani, \$1,000, 11/99, Rudolph Giuliani
 Franks for Congress, \$500, 11/99, Bob Franks
 Bristol-Myers Squibb—Political Action Committee, \$5,000, 1999, to non-candidate committees and does not count against 1998 limits
 1999 State Victory Committee (Texas), \$20,000, 12/99
 New York Republican Committee, \$5,000, 01/00, Roy Goodman
 Bristol-Myers Squibb—Political Action Committee, \$5,000, 2000
 Giuliani Victory Committee, \$25,000, 03/00
 National Republican Senatorial Committee, \$25,000, 03/00
 National Republican Senatorial Committee, \$75,000, 09/00
 National Republican Congressional Campaign \$50,000, 10/00
 Arkansas 2000 (Republican National Committee—State Election Committee), \$50,000, 10/00
 2. Spouse—Monika Heimbald:
 Pete Wilson for President, \$1,000, 08/98, Pete Wilson
 Elizabeth Dole Exploratory Committee, \$1,000, 03/99, Elizabeth Dole
 George W. Bush Exploratory Comm., \$1,000, 03/99, George W. Bush
 Whitman for U.S. Senate, \$1,000, 06/99, Christine Todd Whitman

(Primary—Refund \$650), Whitman for U.S. Senate (General Election—Refund \$1,000), \$1,000, 06/99, Christine Todd Whitman
 Black America, \$1,000, 09/00
 Lazio for Senate, \$1,000, 09/00, Rick Lazio
 3. Children and Spouse—Joanna Welliver:
 Elizabeth Dole Exploratory Committee, \$1,000, 03/99, Elizabeth Dole
 George W. Bush Exploratory Comm., \$1,000, 03/99, George W. Bush
 Eric Heimbald:
 Elizabeth Dole Exploratory Committee, \$1,000, 03/99, Elizabeth Dole
 George W. Bush Exploratory Comm., \$1,000, 03/99, George W. Bush
 Lazio for Senate, \$1,000, 09/00, Rick Lazio
 Leif Heimbald:
 Elizabeth Dole Exploratory Committee, \$1,000, 03/99, Elizabeth Dole
 George W. Bush Exploratory Comm., \$1,000, 03/99, George W. Bush
 Charlotte Heimbald (daughter-in-law):
 Elizabeth Dole Exploratory Committee, \$1,000, 03/99, Elizabeth Dole
 George W. Bush Exploratory Comm., \$1,000, 03/99, George W. Bush
 Peter Heimbald:
 Lazio for Senate, \$1,000, 09/00, Rick Lazio
 Franks for Congress, \$1,000, 10/00, Bob Franks
 4. Parents—Charles Heimbald, deceased; Mary Heimbald, none.
 5. Grandparents—Charles and Katherine Heimbald, deceased; Peter and Therese Corrigan, deceased.
 6. Brothers and Spouses—Arthur Heimbald, none.
 Margaret Heimbald (sister-in-law):
 D.C. Republican Committee, \$125, 04/97
 D.C. Republican Committee, \$105, 08/97
 David Catania for City Council, \$125, 07/98
 D.C. Republican Committee, \$250, 10/98
 Republican National Committee, \$100, 03/99
 League of Republican Women—D.C., \$25, 03/99
 League of Republican Women, D.C., \$50, 03/99
 D.C. Republican Committee, \$1,000, 04/99
 League of Republican Women—D.C., \$30, 05/99
 D.C. Republican Committee, \$200, 06/99
 D.C. Republican Committee, \$50, 07/99
 League of Republican Women—D.C., \$200, 03/00
 Republican National Committee, \$100, 03/00
 League of Republican Women—D.C., \$7.50, 03/00
 D.C. Republican Committee, \$100, 03/00
 D.C. Advisory Council, \$1,500, 06/00
 Bush Delegate Committee, \$100, 06/00
 Tribute to Laura Bush, \$150, 07/00
 Mrs. Ann F. Heuer (D.C. Delegation), \$140, 07/00
 Mrs. Ann F. Heuer (Laura Bush Luncheon), \$150, 08/00
 Peter and Nancy Heimbald: Lazio for Senate, \$25.00, 09/00, Rick Lazio.
 Richard and Ursula Heimbald, none.
 John and Jennifer Heimbald, none.
 David and Ellen Heimbald, none.
 7. Sisters and Spouses: none.
 *Jim Nicholson, of Colorado, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Holy See.
 Nominee: Robert James Nicholson.
 Post: US Ambassador to the Holy See.
 The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self:
 \$15,025, 1997, RNC
 \$15,605, 1998, RNC
 \$15,000, 1999, RNC
 2. Spouse—Suzanne Marie Nicholson:
 \$100, 1997, RNC
 \$345, 1998, RNC
 \$200, 1998, Ron Schmidt for U.S. Senate (South Dakota)
 \$275, 1999, Susan B. Anthony List
 \$515, 1999, RNC
 \$280, 2000, RNC
 \$1,225, 2000, Susan B. Anthony List
 \$100, 2000, Virginia State Republican Party
 \$140, 2001, RNC
 3. Children and Spouses—Robert James Nicholson, Jr., none; Nicholas George Nicholson, none; Katherine Marie Nicholson, none.
 4. Parents—Donald J. Nicholson, deceased; Helen Nicholson, deceased.
 5. Grandparents—Mr. and Mrs. John Dunn, deceased; Mr. and Mrs. William Nicholson, deceased.
 6. Brothers and Spouses—John and Sophie Nicholson:
 \$110, 1997, RNC
 \$85, 1998, RNC
 \$200, 1998, DC Republican Federal Campaign Committee
 \$905, 1999, RNC
 \$50, 1999, Alan Keyes Committee
 \$500, 1999, Friends of George Allen
 \$291, 2000, RNC
 \$100, 2000, Ferguson for Congress
 \$500 Est., 2000, Friends of George Allen (cost to host fundraiser)
 \$500 Est., 2000, Governor Jim Gilmore (cost to host fundraiser)
 \$100, 2001, RNC
 Patrick J. Nicholson:
 \$150, 1998, RNC
 \$250, 1999, RNC
 \$100, 2000, RNC
 Timothy R. Nicholson:
 \$25, 2000, RNC.
 7. Sisters and Spouses—Donna J. Staver:
 \$50, 1998, RNC
 \$50, 1999, RNC
 Mary J. and Gary Ohm:
 \$50, 1998, RNC
 \$50, 2000, RNC
 Margaret A. Nicholson, None.

*Thomas J. Miller, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

Nominee: Thomas J. Miller.

Post: Ambassador to Greece.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self, none.
 2. Spouse—Bonnie Stern Miller, none.
 3. Children and Spouses—Julie Michelle Miller (single), none; Eric Robert Miller (single), none.
 4. Parents—Louis R. Miller, Jr. (deceased), none; Barbara S. Mason, none.
 5. Grandparents—M/M Sam Shure (deceased), none; M/M Louis R. Miller (deceased), none.
 6. Brothers and Spouses—Louis R. Miller (Sherry):

\$1,000.00, 8/96, Pete Wilson (President)
 \$400.00, 4/97, Matt Fong (U.S. Senate)
 \$1,000.00, 1998, Janice Hahn (Congress)
 \$2,000.00, 12/00, Nate Holden (U.S. Congress)
 M/M Richard M. Miller (Kathan), none.
 Bruce D. Miller (single), none.
 7. Sisters and Spouses; none.

*Larry C. Napper, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kazakhstan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Nominee: Larry C. Napper.
 Post: Republic of Kazakhstan.
 Contributions, Amount, Date, and Donee:
 1. Self: Larry C. Napper, None.
 2. Spouse: Mary B. Napper, None.
 3. Children and Spouses: John David Napper, None. Robert Eugene Napper, None.
 4. Parents: Paul Eugene Napper, None. Annie Ruth Napper, None.
 5. Grandparents: I.P. and Martha Cooner, None (Deceased). Charles and Nellie Kindell, None (Deceased).
 6. Brothers and Spouses: Gary and Terri Napper, None. Billy Joe Napper, None.
 7. Sisters and Spouses: None.

*Thomas C. Hubbard, of Tennessee, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Nominee: Thomas C. Hubbard.
 Post: Korea.
 Contributions, Amount, Date, and Donee:
 1. Self: None.
 2. Spouse: None.
 3. Children and Spouses: Lindley Taylor Hubbard, None. Carrie Swain Hubbard, None.
 4. Parents: Thomas N. Hubbard, Jr. (Deceased). Rebecca Taylor Hubbard (Deceased).
 5. Grandparents: Thomas N. Hubbard (Deceased). Lillian Hubbard (Deceased).
 6. Brothers and Spouses: Cato Taylor (Deceased). Lolabelle Taylor (Deceased).
 7. Sisters and Spouses: Edward Dow Hubbard (Brother), None. Piera Thomason (Sister), None.

*Marie T. Huhtala, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Malaysia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Nominee: Marie T. Huhtala.
 Post: Ambassador to Malaysia.
 Contributions, Amount, Date, and Donee:
 Self: \$100.00, 1/20/2000, McCain for Pres.
 Spouse: Eino A. Huhtala, Jr., None.

Children and Spouses: Karen and Sam Ruili, Jorma D. Huhtala, None.

Parents: Joe & Rosemary Mackey, None.
 Grandparents: Austin & Bernice Williamson (deceased), Lois and Fred Wilkening (deceased), None.

Brothers and Spouses: Joe & Susan Mackey, Michael & Fiorenza Mackey, None.

Sisters and Spouses: Maureen & Tom White, None.

*Franklin L. Lavin, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Singapore.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Nominee: Franklin L. Lavin.
 Post: Ambassador to the Republic of Singapore.

Contributions, Amount, Date, and Donee:
 1. Self: 250.00 October 27, 2000 Republican National Committee; 500.00 August 19, 2000 Lazio 2000 Inc.; 1,000 June 17, 1999 Bush for President Committee; 1,000 November 2000 the Bush/Cheney Recount Committee.
 2. Spouse: 250.00 October 27, 2000 Republican National Committee; 1,000 June 17, 1999 Bush for President Committee; 500.00 June 23, 2000 Hal Rogers for Congress Committee.
 3. Children and spouses: Abigail, Nathaniel, and Elizabeth Lavin (none married), None.
 4. Parents: Carl and Audrey Lavin: contributions of less than \$100 to Ralph Regula for Congress and Tom Sawyer for Congress in both 2000 and 1998. Contribution of less than \$100 to George Voinovich, exact date uncertain. Not in FEC records.

5. Grandparents: Leo B. and Dorothy Lavin (both deceased), None. Manuel and Blanche Perlman (both deceased), None.
 6. Brothers and Spouses: Carl Lavin (junior) and Lauren Shay Lavin, None. Douglas Lavin and Lisa Greenwald, None.
 7. Sister and Spouses: Maud K. Lavin: none. Locke Bowman (spouse): contributed to Congressional campaign of Jan Shakowski in 1998. Less than \$100. Not in FEC records.

*John Thomas Schieffer, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Australia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:
 Nominee: John Thomas Schieffer.
 Post: Ambassador to Australia.
 1. Self: John Thomas Schieffer: 500.00, 6/5/97, Martin Frost Campaign Committee; 500.00, 8/6/97, Martin Frost Campaign Committee; 1,000.00, 10/10/97, Martin Frost Campaign Committee; 1,000.00, 4/20/98, John Breau Committee; 500.00, 9/2/98, Max Sandlin for Congress; 1,000.00, 3/31/99, Bush for President Inc.; 1,000.00, 6/20/99, Martin Frost Campaign Committee; 1,000.00, 8/2/00, Martin Frost Campaign Committee.

2. Spouse: Susanne S. Schieffer: 1,000.00, 3/31/99, Bush for President Inc.
 3. Children and Spouses: Son—Paul Robert Schieffer, None.

4. Parents: Mother—Gladys Payne Schieffer, Deceased. Father—John E. Schieffer, Deceased.

5. Grandparents: Maternal Grandparents: Florence Payne, Deceased. Worth Payne, Deceased. Paternal Grandparents: Janette Schieffer, Deceased. Emmitt Schieffer, Deceased.

6. Brothers and Spouses: Brother—Bob L. Schieffer, None. Sister-In-Law—Patricia P. Schieffer, None.

7. Sisters and Spouses: Sister—Sharon Mayes, None. Brother-in-Law—Roger Mayes, None.

*Roger Francisco Noriega, of Kansas, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Nominee: Roger Francisco Noriega.
 Post: U.S. Permanent Representative to the Organization of American States.
 Contributions, Amount, Date, and Donee:
 1. Self: \$250, 10/10/95, Bob Dole for Pres.
 2. Spouse: N/A.
 3. Children and Spouses: N/A.
 4. Parents: Richard Noriega, None. Lucille Noriega, None.
 5. Grandparents: All Deceased, None.
 6. Brothers and Spouses: James P. Noriega (Deceased); Carlos R. Noriega (Deceased).
 7. Sisters and Spouses: Rita and Michael Prahm, None. Rosalie and Douglas Jackson, None. Emilie Palmer (Divorced), None.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for himself and Mr. ENSIGN):

S. 1257. A bill to require the Secretary of the Interior to conduct a theme study to identify sites and resources to commemorate and interpret the Cold War; to the Committee on Energy and Natural Resources.

By Mr. DORGAN (for himself, Mr. DEWINE, Mr. CONRAD, and Ms. LANDRIEU):

S. 1258. A bill to improve academic and social outcomes for teenage youth; to the Committee on the Judiciary.

By Mr. BROWNBACK (for himself, Mr. GRAHAM, and Mr. HELMS):

S. 1259. A bill to amend the Immigration and Nationality Act with respect to the admission of nonimmigrant nurses; to the Committee on the Judiciary.

By Mr. ROCKEFELLER:

S. 1260. A bill to provide funds for the planning of a special census of Americans residing abroad; to the Committee on Governmental Affairs.

By Mr. ROCKEFELLER:

S. 1261. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to increase the ability of absent uniformed services voters and overseas voters to participate in elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Mr. ROCKEFELLER (for himself, Mr. ROBERTS, and Mr. KENNEDY):

S. 1262. A bill to make improvements in mathematics and science education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SMITH of New Hampshire (for himself and Mr. ALLARD):

S. 1263. A bill to amend title XVIII of the Social Security Act to establish a voluntary Medicare Prescription Drug Plan under which eligible medicare beneficiaries may elect to receive coverage under the Rx Option for outpatient prescription drugs and a combined deductible; to the Committee on Finance.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 1264. A bill to require the conveyance of a petroleum terminal serving former Loring Air Force Base and Bangor Air National Guard Base, Maine; to the Committee on Armed Services.

By Mr. DURBIN (for himself, Mr. KENNEDY, Mr. REID, Mr. DODD, Mr. WELLSTONE, Mr. CORZINE, and Mr. FEINGOLD):

S. 1265. A bill to amend the Immigration and Nationality Act to require the Attorney General to cancel the removal and adjust the status of certain aliens who were brought to the United States as children; to the Committee on the Judiciary.

By Mrs. CLINTON (for herself, Mr. SCHUMER, Mr. CORZINE, Mr. TORRICELLI, and Mr. LEVIN):

S. 1266. A bill to amend title XXI of the Social Security Act to expand the provision of child health assistance to children with family income up to 300 percent of poverty; to the Committee on Finance.

By Mr. CRAPO (for himself, Mr. LUGAR, Mr. ROBERTS, and Mr. HUTCHINSON):

S. 1267. A bill to extend and improve conservation programs administered by the Secretary of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SMITH of New Hampshire:

S. 1268. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for real property taxes whether or not the taxpayer itemizes other deductions; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROBERTS (for himself and Mrs. FEINSTEIN):

S. Res. 140. A resolution designating the week beginning September 15, 2002, as "National Civic Participation Week"; to the Committee on the Judiciary.

By Mr. DASCHLE (for himself and Mr. LOTT):

S. Res. 141. A resolution to authorize testimony and legal representation in People of the State of New York v. Adela Holzer; considered and agreed to.

ADDITIONAL COSPONSORS

S. 145

At the request of Mr. THURMOND, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Missouri (Mrs. CARNAHAN) were added as cosponsors of S. 145, a bill to amend title 10, United States Code, to increase to par-

ity with other surviving spouses the basic annuity that is provided under the uniformed services Survivor Benefit Plan for surviving spouses who are at least 62 years of age, and for other purposes.

S. 159

At the request of Mrs. BOXER, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 159, a bill to elevate the Environmental Protection Agency to a cabinet level department, to redesignate the Environmental Protection Agency as the Department of Environmental Protection Affairs, and for other purposes.

S. 318

At the request of Mr. DASCHLE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 318, a bill to prohibit discrimination on the basis of genetic information with respect to health insurance.

S. 356

At the request of Ms. LANDRIEU, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 356, a bill to establish a National Commission on the Bicentennial of the Louisiana Purchase.

S. 381

At the request of Mr. ALLARD, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 381, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act, the Soldiers' and Sailors' Civil Relief Act of 1940, and title 10, United States Code, to maximize the access of uniformed services voters and recently separated uniformed services voters to the polls, to ensure that each vote cast by such a voter is duly counted, and for other purposes.

S. 543

At the request of Mr. WELLSTONE, the names of the Senator from Minnesota (Mr. DAYTON) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 567

At the request of Mr. SESSIONS, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 567, a bill to amend the Internal Revenue Code of 1986 to provide capital gain treatment under section 631(b) of such Code for outright sales of timber by landowners.

S. 571

At the request of Mr. THURMOND, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 571, a bill to provide for the location of the National Museum of the United States Army.

S. 583

At the request of Mr. KENNEDY, the name of the Senator from Rhode Island

(Mr. REED) was added as a cosponsor of S. 583, a bill to amend the Food Stamp Act of 1977 to improve nutrition assistance for working families and the elderly, and for other purposes.

S. 836

At the request of Mr. CRAIG, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 836, a bill to amend part C of title XI of the Social Security Act to provide for coordination of implementation of administrative simplification standards for health care information.

S. 839

At the request of Mrs. HUTCHISON, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 839, a bill to amend title XVIII of the Social Security Act to increase the amount of payment for inpatient hospital services under the medicare program and to freeze the reduction in payments to hospitals for indirect costs of medical education.

S. 852

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 852, a bill to support the aspirations of the Tibetan people to safeguard their distinct identity.

S. 940

At the request of Mr. DODD, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 940, a bill to leave no child behind.

S. 952

At the request of Mr. GREGG, the names of the Senator from Florida (Mr. NELSON) and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 952, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 961

At the request of Mrs. BOXER, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 961, a bill to promote research to identify and evaluate the health effects of breast implants; to ensure that women receive accurate information about such implants and to encourage the Food and Drug Administration to thoroughly review the implant manufacturers' standing with the agency.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1030

At the request of Mr. CONRAD, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor